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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, be attentive to our prayers. Test our thoughts and examine our hearts, as we seek Your wisdom to solve the problems in our Nation and world.

Guide our Senators' thoughts and words so that their speech will glorify You. May their speech engender a spirit of cooperation and a willingness to discover ways to accomplish multiple goals for the common good. Lord, lead them away from divisive rhetoric that provides fuel for chaos and discord.

Shepherd of love, we pray each day to You because we know You will answer our prayers. Continue to show us Your unfailing love in Your constructive and wonderful ways.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. BOOKER). The majority leader is recognized.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BRING JOBS HOME ACT—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 453, S. 2569.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 453, S. 2569, a bill to provide an incentive for businesses to bring jobs back to America.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each, which will run until 10:45. The time will be divided in the usual form between the two leaders or their designees. At 10:45 the Senate will proceed to a series of three rollcall votes: cloture on Andre Birotte to be a judge in California; Robin Rosenberg to be a judge in Florida; and John deGravelles to be a judge in Louisiana. Following the cloture vote on deGravelles, the time until 12:30 will be equally divided and controlled in the usual form. The Senate will recess from 12:30 to 2:15 to allow for our weekly caucus meetings. If cloture is invoked on any of the previous nominations, at 2:15 the Senate will begin a series of votes on those nominations.

FAIR SHOT AGENDA

Over the past several months, Americans have heard Democrats speak at length about giving working families a fair shot. What do we mean by a ''fair shot''? A fair shot is about making sure Americans have jobs and good jobs. It is about ensuring that workers receive fair, livable wages so they can put a roof over their heads and take care of their kids and actually put food on the table, make the rent payments, car payments. A fair shot is the idea that each hard-working American deserves an opportunity to achieve a measure of prosperity. But it all begins with a job.

As Senators, it is imperative that we not only promote job growth but also protect the jobs constituents already have. That is why the legislation before the Senate, the Bring Jobs Home Act, is so vitally important. It protects American jobs and encourages future job creation within our borders.

Over the last decade, the last 10 years, our country has been hemorrhaging jobs. American companies have outsourced 2½ million jobs. Outsource—that means ship them overseas. Two and a half million jobs that were here are now overseas, but these losses could potentially skyrocket if we do not address the disturbing trend of outsourcing. Twenty-one million Americans, including 7 million manufacturing workers, are at risk of having their jobs shipped overseas at any time—the risk of losing their fair shot. Almost 150,000 at-risk workers live in Nevada. The home State of my friend from Kentucky could also be on the chopping block to the tune of 235,000 jobs. For the Presiding Officer's State of New Jersey, outsourcing means the loss of 588,000 jobs in New Jersey.

When millions of Americans are looking for work in a recovering economy, few things could be more important than protecting good-paying middle-class jobs.

Every time an American company closes a factory or a plant in America and moves operations to another country, taxpayers pick up part of that moving bill. It is hard to comprehend that, but that is the way our law now exists. We want to change that. That is what the legislation before this body is all about. The Bring Jobs Home Act would end senseless tax breaks for outsourcers. It would end the absurd practice of American taxpayers bankrolling the outsourcing of their very own jobs.

The Bring Jobs Home Act also seeks to bring jobs back to America. This bill

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

would offer a 20-percent tax credit to help with the costs of moving production back to the United States.

In the last few years major manufacturers, such as Ford and Caterpillar, have brought jobs back to the United States from Japan, Mexico, and China. Why? Because we have such productive workers. There are a lot of other reasons, but that is the main reason. Smaller manufacturers, such as Master Lock, have moved facilities home as well. This is a trend we here in Congress should enthusiastically encourage—American companies returning home to employ American workers. They should get a tax break to do that. That is what this legislation does.

The Bring Jobs Home Act is a commonsense strategy to bring back American jobs. To 21 million Americans whose jobs could be the next ones to move to China or Japan, the Bring Jobs Home Act is as serious as it gets. To the 2½ million Americans whose jobs have already been offshored, the bill stands to right a terrible wrong: Bring them back and get a tax benefit for doing that.

I hope Republicans in Congress will finally see the light and join us in giving workers a fair shot at a good, stable job. On this legislation, the Bring Jobs Home Act, I know Senators on the Republican side always say they want amendments; unless they get a guarantee of amendments, they will kill the bill. On that, let me just say what I always say: We want to do something; that is, get something done. We should do what we have done on highway bills in the past, what we did recently on terrorism insurance, what we did on the Workforce Investment Act, and what we have done here for decades. We should work on a list of amendments and a path on getting the bill done. If there is going to be no list, I have no alternative but to procedurally move forward and get this matter off the floor. That would not be good for American workers. So everyone should know my answer: We need to get a list of amendments and a path for getting the bill done.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

WORKING FOR THE MIDDLE CLASS

Mr. MCCONNELL. Mr. President, later today the President will sign a bipartisan workforce training bill into law. It is commonsense legislation that will help my constituents gain new skills to become more competitive. I was proud to support it. I am glad to see that the President is going to sign it.

Unfortunately, though, bipartisan accomplishments such as this one have become increasingly rare in the Democratic-controlled Senate.

Last week President Obama took to the campaign trail to urge Congress to pass a new highway bill. He really did not need to, though; the Republican-controlled House of Representatives had already passed the highway bill earlier in the week. In fact, it sailed through on an overwhelmingly bipartisan vote, 367 to 55. The President said he would sign it if Congress sent it to his desk. I expect the Senate will do just that in fairly short order but only if the Democrats who run the Senate can put their never-ending political campaign on hold for just a minute because rather than focus on passing bipartisan legislation, not to mention the dozens of job-creation bills the House has already sent over to us, the Democratic majority seems to spend all of its time on bills designed primarily to create jobs for campaign consultants.

We got an especially vivid glimpse of this earlier this year when Senate Democrats admitted they were working with their campaign committee to craft a so-called agenda that was more about saving their own seats than anything else. Ever since, they have pretty much abandoned governing to use the Senate floor as a campaign studio. We saw the latest example last night when the majority brought up another recycled, designed-to-fail bill that has already been rejected by the Senate. It is a bill that is designed for campaign rhetoric and failure, not to create jobs here in the United States. That is not what it is about. But that is not stopping our friends on the other side from bringing it up yet again, just as they did right before the last election.

So, look. We have seen this movie before. Everyone knows the Democrats are simply not serious here. They specifically want the bill to fail.

What I am saying is let's just skip the campaigning and get something done for the middle class instead. Let's focus on bipartisan bills that can help families and create jobs here at home. Let's focus on things such as repealing the job-killing medical device tax and helping create energy jobs and reducing the tax burden on small businesses and restoring the 40-hour workweek and providing relief to Kentucky's coal families.

If we are going to have a debate about creating jobs here at home, then let's really have a debate about creating jobs here at home. This is not it. Senate Democrats, of course, know that. They also know all of their campaigning is getting in the way of focusing on passing bipartisan legislation—bipartisan legislation such as the highway bill.

Of course, we know the current highway bill is not perfect. Over the long term, Republicans have a lot of good ideas for reforming the highway trust fund in a more permanent way so it can be made sustainable for years to come, but for now we have to at least keep road and bridge projects moving forward in the meantime. The extension of the highway trust fund could be used to fund projects such as the resurfacing of several parkways that many Kentuckians use to commute to work, and it could be used to fund the widening of I–656 between Bowling Green and Elizabethtown. The judge executive of Hart County Terry Martin knows this transportation safety project is important for the Commonwealth, and he notes that the expansion to six lanes would allow for a smoother and safer flow of traffic for Kentuckians.

So let's focus on scoring bipartisan wins and jobs for our constituents instead of scoring political points. If Democrats can do that, then I am confident we will get this done because the American people didn't send us to Congress to campaign 24/7. When Senate Democrats do choose to work with us, there is a lot we can get done for the people of our country.

REMEMBERING JEREMIAH DENTON

I wish to say a brief word about our former colleague Jeremiah Denton, who will be laid to rest today at Arlington National Cemetery.

Admiral Denton is best known for the extraordinary bravery he showed in 1966, when instead of playing along in a propaganda film for his captors in Vietnam, he blinked the word ''torture'' in Morse code to U.S. military leaders.

All told, Admiral Denton would spend 7½ years in the infamous Hanoi Hilton and other camps, enduring terrible torture and barbaric conditions throughout. Later, after earning the deep admiration of Ronald Reagan, he would enlist the future President's help as a first-time political candidate, becoming the first-elected Republican Senator from Alabama since Reconstruction.

A staunch conservative throughout his time in the Senate, Admiral Denton was a man of deep and abiding faith who had an equally deep and abiding love for his country. This was never more clear than on the day he stepped off a plane to freedom at Clark Air Base in the Philippines. Walking up to the microphone, the newly released POW said simply:

> We are honored to have had the opportunity to serve our country under difficult circumstances. We are proudly grateful to our commander-in-chief and to our nation for this day. God bless America.

Admiral Denton was predeceased by his beloved wife of 61 years Kathryn Jane, and survived by their seven children: Madeleine, and Mary Beth, Jeremiah, William, Donald, James, Michael; and by his second wife Mary Belle. We send Mary Belle and the entire Denton family our sincere condolences today as Jeremiah Denton is laid to rest, and we honor the memory of this great man and distinguished former Member of this body.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until

10:45 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees.

The Senator from Washington.

HIGHWAY TRUST FUND

Mrs. MURRAY. Mr. President, I came to the Senate floor in April to warn my colleagues of a looming crisis in the highway trust fund. I told them if Congress didn't act and the fund reached critically low levels, it would cause construction shutdowns in communities across the country. It would cost jobs and threaten our fragile economic recovery. It would hurt families who depend on safe and efficient roads and bridges.

I had hoped that we could address this issue sooner. I had hoped those of us in Congress who understand the importance of strong infrastructure investments could have come together, not just to avoid a crisis but for a long-term solution. We weren't able to do that.

But today, after 4 months of warning of this looming crisis, I am pleased to come to the floor as we work to do what should be easy but too often isn't in the Senate—to avoid a completely unnecessary and completely damaging crisis. This is a step in the right direction. As many of us here know very well, it is a step that Congress has not taken each time a crisis approached.

For far too many years, Congress has been lurching from crisis to crisis, from debt limit scares to fiscal cliffs. That dysfunction hit a peak last October with a government shutdown over a misguided attempt to block the Affordable Care Act from covering millions of families and with another Federal default scare. The lurching from crisis to crisis with constant dysfunction and uncertainty hurt workers and our families, and it shook the confidence of people across the country who expect their elected officials to work together to get things done.

But when the government shutdown finally ended last year, I sat down with House Budget Committee Chairman PAUL RYAN in a budget conference. We worked together, we compromised, and we reached a 2-year budget deal that prevented another government shutdown and rolled back devastating cuts from sequestration.

That bipartisan budget deal moved us away from these constant crises and showed the American people that we can do our jobs when we are willing to work together. I believe it showed my Republican colleagues that putting the American people through these constant artificial crises is not only bad for the country overall, it is not good for Republicans either.

Since that bipartisan budget deal, we have been able to build on that bipartisan momentum in some very important ways. I was proud to work with the junior Senator from Georgia and a number of Democrats and Republicans on a bipartisan bill to invest in workforce training.

Our legislation passed both the House and the Senate with overwhelming bipartisan support, and this week it will officially become law. That kind of bipartisan work to help our workers and the economy wouldn't be possible if we were still in a constant crisis mode.

That is why I have been so hopeful we could avoid lurching toward yet another needless crisis—this time in our highway trust fund. The consequences of Congress failing to shore up the highway trust fund are clear. In fact, many of our States have already been bracing for a worst-case scenario. Arkansas, for example, has already put the brakes on 15 highway projects that would have widened their highways and repaired their bridges.

In Colorado, State officials are planning a project to ease congestion to give some much-needed relief to drivers between Denver and Fort Collins, but a lapse in our Federal funding could have put that project on hold.

Those are not isolated cases. Across the country more than 100,000 projects would have been at risk next year and 700,000 jobs would have been on the line if Congress failed to replenish the highway trust fund according to the Department of Transportation.

I am pleased Congress is finally coming together and working to avoid a construction shutdown this summer. Republicans in the House have pushed aside the tea party branch and passed a bill to avoid a construction shutdown this summer, with no ransom demands, no programmatic spending cuts, and no tea party policy riders.

I do support the bipartisan Senate proposal from the Finance Committee, which includes provisions to improve compliance with tax laws.

My colleague, the junior Senator from California, is right. We need pressure on Republicans to come back before the end of this Congress to work with us toward a long-term solution, but I am very pleased we are working together to get this done and avoid this unnecessary crisis that would have put jobs and our economy at risk.

This bill will be a step in the right direction, but then we need to take the next step. We need to keep this bipartisanship going, and we need to work together to find a long-term solution to the highway trust fund's revenue shortfall. That is the only way we can truly put an end to constant crises and short-term patches, and it is the only way we can give our States and businesses the certainty they need and deserve to plan projects and invest in their economies.

Once again, I am pleased we are moving toward avoiding a completely unnecessary construction shutdown, and I am pleased that the House Republicans seem to understand that it is better for them and our country to push the tea party aside and work with us—not to push us into another crisis.

I am hopeful we can build on this bipartisan effort and keep working together to create jobs, economic growth, and a fair shot and true opportunity for families across our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, while the Senator from Washington is on the floor, I think it is appropriate to note and congratulate her for her work on the Workforce Investment Act.

She and Senator ISAKSON of Georgia led the effort of Senator HARKIN, me, and others in the Senate. Senator SCOTT of South Carolina was the principal sponsor of the House-passed SKILLS Act. Senator ENZI of Wyoming had worked for a long time—and as the Republican leader said, that bill is being signed today by the President of the United States.

It goes directly to the issue that most Americans care about. It is too hard to find a job. What this process showed was that Republicans and Democrats were able to take the nearly $10 billion that we currently spend on job training to give Governors the flexibility to help people develop skills and match job seekers with good jobs in their communities. I remember our former Democratic Governor from Tennessee told me that when he came into office, he threw up his hands when he found out about the $145 million that came to Tennessee through the Workforce Investment Act because it was too complicated.

Senator MURRAY, Senator ISAKSON, and others have worked together with Chairman KLINE in the House, and they produced a law that will be signed today. The Senate is far from functioning the way it ought to. There is too much talent in the Senate and too many pressing problems in the country for us to be anywhere close to satisfied with the result we are getting. But the committee upon which the Senator from Washington and I serve has done a pretty good job in this Congress. We reported to the Senate 20 pieces of legislation; 18 of them have passed the Senate, and 14 of them have been signed into law.

That may be more than the entire Senate put together.

The point is, those are big pieces of legislation. One is the jobs bill. That is the issue we care about more than any other.

Another was the track-and-trace legislation which makes medicines safer for 4 billion prescriptions. Senator BURR and Senator MIKULSKI worked on that.

Another was on compounding pharmacies. It was a terrible problem where we had tainted, sterile injections not being sterile and causing people to catch meningitis and die.

Last year another was the student loan program, where we took all the new loans—that is $100 billion a year—and put a market-pricing system on top and took it out of the political football stunt category.

All of that has happened on a committee which has, on its left, 12 Democrats, and on its right, 10 Republicans. We don't agree on everything by a long shot. But on these issues we came to a result, did the job, and the Senator from Washington has been a conspicuous example of looking for opportunities for us to get a result.

People expect us to come to the Senate, stand on our principles, but not stop there—not stop there—and then put our principles together where we can combine those and get a result for the American people. I am pleased to be a part of that action and I congratulate her for it.

HUMAN RIGHTS

Today I am here to say the world is watching Venezuela. The Senate especially is watching human rights abuse in Venezuela. I especially am watching the case of Leopoldo Lopez, who has been in prison for 5 months. For what? For leading a political party and exercising his constitutional rights.

Senator MENENDEZ, the chairman of the Foreign Relations Committee, has spoken out about human rights abuse in Venezuela. Senator CORKER, the ranking Republican on Foreign Relations has spoken out about human rights abuse in Venezuela. Yesterday, Senator CRUZ of Texas gave an impassioned speech about Leopoldo Lopez in Venezuela and that conspicuous example of human rights abuse. Senator RUBIO of Florida has been at the forefront of this discussion with his leadership on the Foreign Relations Committee.

Today, I wish to speak about human rights abuse in Venezuela and to say to President Maduro in Venezuela that the world is watching. The world is watching him and his efforts to imprison his principal political opponent, Leopoldo Lopez.

Mr. President, many of us have visited Robben Island off South Africa's coast. When my family and I did that a few years ago, there was no moment that impressed me more in that visit than when some of those who were imprisoned there with Nelson Mandela still give tours of Robben Island, about where he lived and where he exercised and how he conducted himself in the 27 years he was there before he came back and was freed and became one of the most important persons in our world history.

It seems to me President Maduro of Venezuela is determined to turn Leopoldo Lopez into the Nelson Mandela of Venezuela by his unconscionable imprisonment of him principally because Leopoldo has spoken out and has expressed his political views about the country he loves.

Leopoldo was born in Venezuela and comes from a patriotic Venezuelan family, but he was educated in the United States which is where I met him. I met him when he was a student at Kenyon College. In fact, I made the graduation speech, when I was Secretary of Education, to the class in which he graduated, and he was a friend of my son who was also a student. I watched him over the years. He went on to Harvard and obtained a master's degree at the Kennedy School. He could have stayed in the United States and had a very successful career, but he chose instead to return to the country he loved, Venezuela. He was elected mayor of a municipality at the age of 28 in an important area outside of Caracas. Four years later he was reelected with 81 percent of the vote. He is a rising star in Venezuela. There is no brighter star rising in the skies of Venezuela.

Hugo Chavez's government knew that someone like Leopoldo, who is well educated, charismatic, purposeful, and honest, with a desire to help his fellow Venezuelans, would do nothing but cause problems for their socialist government, so they barred him from running for public office and accused him of misusing public funds.

I suppose a lot of us would like to bar our principal opponents from running against us. The Senator from New Jersey and I are both in elections this year, but it hasn't occurred to us that in the United States we could actually do that. Elections are the lifeblood of our political system and the lifeblood of this country and the lifeblood of our liberty and freedom, but in Venezuela if you don't like your opponent, you just say they cannot run for office. That is what they did to Leopoldo.

Leopoldo fought back, taking his case all the way to the Inter-American Court for Human Rights and he won. I had an opportunity to see him in 2011 when he did that. I knew he would win his case. Anyone who listened to it believed that. He then stayed in Venezuela. He faced assassination attempts, harassment, threats, but never wavered in his call for the Venezuelan people to take action against the oppressive regime of Hugo Chavez and more recently Nicolas Maduro.

Venezuela is a rich country and has lots of money, but people cannot get toothpaste, people cannot get tissues. The inflation there is more than 50 percent. You would expect there to be a leader demanding change from the government, someone who could express the views of the people. Leopoldo is that person, but he has been in jail for 5 months. He has been barred from running for public office because he is that leader.

He is a husband. He is the father of two young children. He chose to turn himself in to face trial. He could have come to the United States or some other country and said, ''I am in exile. I am a popular Venezuelan and I'll take the brave act of going into exile.'' No, he didn't do that. He turned himself in, with a crowd of hundreds of thousands of people behind him, because he is in the tradition of Gandhi, Martin Luther King, Mandela, and others is focusing his resistance in a nonviolent and a constitutional way. That is his lesson to the people of Venezuela.

However, he is in jail and has been for 5 months, and President Maduro keeps him there to silence the opposition. Or so the President thinks. Leopoldo's trial starts tomorrow. I say trial, although it is not a trial that we would recognize.

The distinguished chairman of the Judiciary Committee is on the floor today. He has been a leading spokesman for human rights across the country. He, too, is interested in human rights abuse in Venezuela. He would not recognize this trial.

The defense team of Leopoldo has attempted to bring forward 60 witnesses plus other experts to testify on their client's behalf. However, during a preliminary hearing every single witness for the defense was disqualified.

There is the distinguished lawyer, the Senator from Massachusetts, on the other side of the aisle. She knows what a trial is. She recognizes human abuse when she sees it, just as all of us do. So I think it is important for President Maduro, the people of Venezuela and the people in Venezuela who have been subjected to human rights abuse to know that is not going unnoticed in the United States of America, that there are Senators on the Democratic side and on the Republican side of the aisle who are paying close attention to this; that our State Department is reviewing this very carefully; that this sort of human rights abuse in Venezuela—a country badly in need of political discourse and leadership—is something we should not ignore. We should say to President Maduro: Free Leopoldo Lopez. By locking him up for 5 months you are not silencing him. You are helping to make him the Nelson Mandela of Venezuela.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank my friend from Tennessee who has said that the trial he described is not a trial. It is a sham, and no honest and civilized country, no country that has even a pretense upon the rule of law should accept that kind of a trial. So I applaud the senior Senator from Tennessee for his comments.

JUSTICE FOR ALL REAUTHORIZATION ACT

Mr. LEAHY. Mr. President, I have been on this floor many times to talk about the need to support law enforcement and to ensure our criminal justice system serves everyone fairly. I do so again in light of a very disturbing report issued by the Justice Department's inspector general last week which describes serious flaws in some of our Nation's crime labs. The report focused on 13 crime lab examiners whose work was seriously flawed, but the worst part is that their testimony contributed to the convictions of thousands of offenders, including 60 people on death row.

The FBI launched an investigation. They discovered these mistakes, but even after they discovered them, it took them 5 years to notify those who were impacted—5 years that people were sitting in prison. During that time 3 of the 60 people on death row who were convicted and put on death row on potentially flawed evidence were executed and thousands more sat behind bars.

It is shocking and unacceptable. I mention this because even in a country such as ours, our criminal justice system is not infallible, and that is why I again urge the Senate to take up and pass the Justice For All Reauthorization Act. It is a bill I introduced with Senator CORNYN last year. It is a bipartisan piece of legislation which includes the Kirk Bloodsworth Post-Conviction DNA Testing Grant Program, which seeks to prevent travesties such as those described in the IG report.

It is named for Kirk Bloodsworth, a man who has become a friend to me over the years. He was convicted and sent to prison and could have been executed. In 1993, he became the first person in the United States to be exonerated from a death row crime through the use of DNA evidence.

Two hundred fifty additional people have been exonerated using this technology. Thomas Haynesworth was exonerated in 2011 after spending 27 years in prison for crimes he did not commit, thanks to a grant provided by the Justice for All Act. He was accused of rape in 1984, and wrongfully convicted. The real perpetrator went on to rape more than a dozen women.

The Justice for All Act takes important steps to strengthen the rights of victims of crime and reauthorizes the Debbie Smith Act which has provided significant funding to reduce the backlog of untested rape kits. The program is named for Debbie Smith, who waited years after being attacked before her rape kit was tested and the perpetrator was caught. She and her husband Rob have worked tirelessly to ensure that others will not experience such horror. I thank Debbie and Rob for their continuing help on this extremely important cause.

Just yesterday, a few blocks from here at the DC Superior Court, a man was exonerated by DNA evidence. Now that is the good news. He was exonerated. Kevin Martin was exonerated, but he spent 26 years in prison for the 1982 rape and murder of a Washington woman he had nothing to do with.

We know that in our criminal justice system mistakes are inevitable. But the Justice for All Act reauthorization gives us the chance to fix some of our most grievous errors.

Senator CORNYN and I believe that pursuit of justice is not a partisan issue, which is why we were pleased when our bill was unanimously approved by the Judiciary Committee back in October. Senate minority leader MITCH MCCONNELL is also a cosponsor of the bill. Every single Senate Democrat has signed off on passing this. Senator GRASSLEY, the ranking member of the Judiciary Committee, called the inspector general's report ''shocking.'' I agree completely, we all agree, which is why it is time for the full Senate to reach an agreement and consider the Justice for All Reauthorization Act.

I thank the many law enforcement, victim services and criminal justice organizations that have helped to pinpoint the needed improvements that this law attempts to solve and I appreciate their ongoing support in seeing it passed.

Let's pass the legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

HAPPY BIRTHDAY TO CFPB

Ms. WARREN. Thank you, Mr. President.

I am here today to say happy birthday to the Consumer Financial Protection Bureau. This week marks 4 years since Dodd-Frank was signed into law and 3 years since the consumer agency opened its doors.

The consumer agency was built to be a new kind of regulatory agency, one that would stand up for America's families, not for big banks or credit card companies.

The consumer agency was not popular with big banks and their friends in Washington. The financial services industry spent more than $1 million a day fighting tooth and nail against financial reforms and they vowed to kill the consumer agency before it was ever born. But thanks to the work of grassroots consumer groups across the country that worked very hard and got organized, we pushed back against the big banks' armies of lobbyists and lawyers, and we won. We succeeded in building a strong independent consumer agency with the tools necessary to protect consumers against the tricks and traps hidden in the fine print of mortgages, credit cards, and student loans.

Under Rich Cordray's leadership, the staff of the CFPB has made amazing progress since it opened. This little agency has already forced big financial institutions to return more than $4 billion to 15 million consumers they cheated, and it has helped tens of thousands of consumers resolve complaints about their financial institutions. It has put in place rules to protect consumers from a range of dangerous financial products and to make sure that companies cannot put out the kinds of deceptive mortgages that contributed to millions of foreclosures.

Recently the CFPB shared stories from people all across the country who have reached out to the agency for help with financial issues. One of these stories is from Ari, an Iraq veteran from Hull, MA. Ari and his father Harry told their story to CFPB. While serving in the military, Ari took out a car loan advertised directly to servicemembers. The dealership promised Ari that he would be able to afford the loan, but after Harry read the fine print, he figured out this was a terrible deal. So Harry filed a complaint with the CFPB and the agency's investigation helped to uncover scams targeting men and women in uniform. Ultimately, the consumer agency ordered the auto lenders to refund about $6.5 million to the servicemembers they cheated, and to agree to stop these practices immediately.

This is just one example of how people are fighting back, using the tools of the Consumer Financial Protection Bureau. It is also an example of how the consumer agency is standing up for families who have been targeted by scams and unfair practices. Together families and the agency are starting to clean up the market for consumer credit.

Sure, there is a lot left to do. The consumer agency still has important rules to put in place regarding payday lending, debt collection, and arbitration clauses. The biggest banks are dramatically bigger than they were during the financial crisis, and there is still too much risk in our system and too much need for reform. We need to keep pushing for changes that will make our financial system more stable and more secure to protect consumers and to keep our economy safe.

Stories such as Ari's and Harry's show that the consumer agency works and that the agency empowers people. In a badly tilted financial marketplace, the agency is giving consumers a fighting chance. This week is an opportunity to highlight these accomplishments and a reminder of how we can make Washington work for families all across this country.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session.

The clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Andre Birotte, Jr., of California, to be United States District Judge for the Central District of California.

Harry Reid, Patrick J. Leahy, Jack Reed, Tim Kaine, Angus S. King, Jr., Thomas R. Carper, Bill Nelson, Jon Tester, Patty Murray, Claire McCaskill, Benjamin L. Cardin, Mark Begich,

Sheldon Whitehouse, Elizabeth Warren, Debbie Stabenow, Tom Harkin, Tom Udall.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Andre Birotte, Jr., of California, to be United States District Judge for the Central District of California, shall be brought to a close?

The yeas and nays are mandatory under the rule. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

The PRESIDING OFFICER (Mr. KING). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 56, nays 43, as follows:

[Rollcall Vote No. 234 Ex.]

YEAS—56

Baldwin	Harkin	Murray
Begich	Heinrich	Nelson
Bennet	Heitkamp	Pryor
Blumenthal	Hirono	Reed
Booker	Johnson (SD)	Reid
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Landrieu	Shaheen
Carper	Leahy	Stabenow
Casey	Levin	Tester
Collins	Manchin	Udall (CO)
Coons	Markey	Udall (NM)
Donnelly	McCaskill	Walsh
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murkowski	Wyden
Hagan	Murphy	

NAYS—43

Alexander	Fischer	Moran
Ayotte	Flake	Paul
Barrasso	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heller	Rubio
Chambliss	Hoeven	Scott
Coats	Inhofe	Sessions
Coburn	Isakson	Shelby
Cochran	Johanns	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Kirk	Vitter
Crapo	Lee	Wicker
Cruz	McCain	
Enzi	McConnell	

NOT VOTING—1

Rockefeller

The PRESIDING OFFICER. On this vote the yeas are 56, the nays are 43. The motion is agreed to.

NOMINATION OF ANDRE BIROTTE, JR., TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Andre Birotte, Jr., of California, to be United States District Judge for the Central District of California.

CLOTURE MOTION

The PRESIDING OFFICER. There is now 2 minutes of debate equally divided prior to the vote.

The Senator from Florida.

Mr. NELSON. This is Judge Robin Rosenberg who comes through this nonpartisan judicial nominating process Senator RUBIO and I have set up. Senator RUBIO and I certainly commend her for our Members' favorable consideration.

The PRESIDING OFFICER. All time is yielded back.

CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Robin L. Rosenberg, of Florida, to be United States District Judge for the Southern District of Florida.

Harry Reid, Patrick J. Leahy, Jack Reed, Tim Kaine, Angus S. King, Jr., Thomas R. Carper, Bill Nelson, Jon Tester, Patty Murray, Claire McCaskill, Benjamin L. Cardin, Mark Begich, Sheldon Whitehouse, Elizabeth Warren, Debbie Stabenow, Tom Harkin, Tom Udall.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Robin L. Rosenberg, of Florida, to be United States District Judge for the Southern District of Florida, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The PRESIDING OFFICER. The assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 58, nays 42, as follows:

[Rollcall Vote No. 235 Ex.]

YEAS—58

Baldwin	Heinrich	Pryor
Begich	Heitkamp	Reed
Bennet	Hirono	Reid
Blumenthal	Johnson (SD)	Rockefeller
Booker	Kaine	Rubio
Boxer	King	Sanders
Brown	Klobuchar	Schatz
Cantwell	Landrieu	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Casey	Manchin	Tester
Collins	Markey	Udall (CO)
Coons	McCaskill	Udall (NM)
Donnelly	Menendez	Walsh
Durbin	Merkley	Warner
Feinstein	Mikulski	Warren
Franken	Murkowski	Whitehouse
Gillibrand	Murphy	Wyden
Hagan	Murray	
Harkin	Nelson	

NAYS—42

Alexander	Enzi	McCain
Ayotte	Fischer	McConnell
Barrasso	Flake	Moran
Blunt	Graham	Paul
Boozman	Grassley	Portman
Burr	Hatch	Risch
Chambliss	Heller	Roberts
Coats	Hoeven	Scott
Coburn	Inhofe	Sessions
Cochran	Isakson	Shelby
Corker	Johanns	Thune
Cornyn	Johnson (WI)	Toomey
Crapo	Kirk	Vitter
Cruz	Lee	Wicker

The PRESIDING OFFICER (Mr. HEINRICH). On this vote the yeas are 58, the nays are 42. The motion is agreed to.

NOMINATION OF ROBIN L. ROSENBERG TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Robin L. Rosenberg, of Florida, to be United States District Judge for the Southern District of Florida.

CLOTURE MOTION

The PRESIDING OFFICER. There is now 2 minutes equally divided prior to the next cloture vote.

Mr. PRYOR. Mr. President, I ask unanimous consent that time be yielded back.

The PRESIDING OFFICER. Without objection, all time is yielded back.

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of John W. deGravelles, of Louisiana, to be United States District Judge for the Middle District of Louisiana.

Harry Reid, Patrick J. Leahy, Sheldon Whitehouse, Patty Murray, Elizabeth Warren, Charles E. Schumer, Jack Reed, Christopher A. Coons, Dianne Feinstein, Angus S. King, Jr., Benjamin L. Cardin, Mazie K. Hirono, Richard Blumenthal, Amy Klobuchar, Christopher Murphy, Cory A. Booker, Martin Heinrich.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of John W. deGravelles, of Louisiana, to be United States District Judge for the Middle District of Louisiana, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Michigan (Mr. LEVIN) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Wyoming (Mr. ENZI), the Senator from Nevada (Mr. HELLER), and the Senator from Georgia (Mr. ISAKSON).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 57, nays 39, as follows:

[Rollcall Vote No. 236 Ex.]

YEAS—57

Baldwin	Blumenthal	Brown
Begich	Booker	Cantwell
Bennet	Boxer	Cardin

Carper	King	Reid
Casey	Klobuchar	Rockefeller
Collins	Landrieu	Sanders
Coons	Leahy	Schatz
Donnelly	Manchin	Schumer
Durbin	Markey	Shaheen
Feinstein	McCaskill	Stabenow
Franken	Menendez	Tester
Gillibrand	Merkley	Udall (CO)
Hagan	Mikulski	Udall (NM)
Harkin	Murkowski	Vitter
Heinrich	Murphy	Walsh
Heitkamp	Murray	Warner
Hirono	Nelson	Warren
Johnson (SD)	Pryor	Whitehouse
Kaine	Reed	Wyden

NAYS—39

Alexander	Cruz	McConnell
Ayotte	Fischer	Moran
Barrasso	Flake	Paul
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Scott
Coburn	Johanns	Sessions
Cochran	Johnson (WI)	Shelby
Corker	Kirk	Thune
Cornyn	Lee	Toomey
Crapo	McCain	Wicker

NOT VOTING—4

Enzi	Isakson
Heller	Levin

The PRESIDING OFFICER. On this vote, the yeas are 57, the nays are 39. The motion is agreed to.

NOMINATION OF JOHN W. DEGRAVELLES TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF LOUISIANA

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk reported the nomination of John W. deGravelles, of Louisiana, to be United States District Judge for the Middle District of Louisiana.

The PRESIDING OFFICER. Under the previous order, the time until 12:30 p.m. will be equally divided and controlled in the usual form.

The PRESIDING OFFICER. The Senator from Indiana.

MALAYSIA AIRLINES TRAGEDY

Mr. COATS. Mr. President, I wish to comment on the tragedy of the civilian airliner shot out of the sky by a Russian surface-to-air missile, cutting short the lives of 298 innocent civilians. Parents, children and spouses of victims have expressed deep anguish, and we all feel their grief.

All of us agree the images we are seeing from the crash site are heartbreaking and sickening. President Obama, Dutch Prime Minister Mark Rutte, leaders throughout the world, and many others have expressed their outrage at the vicious, uncivilized act that took place at 33,000 feet over the country of Ukraine. A few days ago, British Prime Minister David Cameron stated firmly:

> For too long there has been a reluctance on the part of too many European countries to face up to the implications of what is happening in eastern Ukraine. . . . Elegant forms of words and fine communiques are no substitute for real action. The weapons and fighters being funneled across the border between Russia and eastern Ukraine; the support to the militias; the half-truths, the bluster, the delays. They have to stop.

As the prime minister acknowledged: This is a moment when words of condemnation and expressions of grief are simply not enough. This is a moment when action must follow the outrage and rhetorical condemnation.

The tragedy of Malaysian Airlines 17 will be a defining event in history. It is a defining event for Russia, first and foremost, and for its President, Vladimir Putin. It is no secret that Putin has imperial ambitions, motivated by his pathological insecurities, and a quest to restore lost glory to Mother Russia. These are dangerous delusions. If they are not confronted firmly, they will come to threaten us all.

But it is also a defining event for the United States and its European allies. The festering danger in Ukraine is the result of the civilized world's faltering half-steps as a meager, timid and all too minimal response to Russia's invasion of a neighbor in violation of sovereign borders. This is an opportunity for American leadership, in step with our European allies, to spur the community of nations to act together and be a force for good and be a force for the right change that needs to take place—not later, but now.

It is a defining event for President Obama and German Chancellor Angela Merkel. Today these two leaders, the two who are most able to influence this situation, can stand up and demonstrate leadership that will shape history. So this is a pivotal moment—a pivotal moment for the United States, for Germany, for the European Union and for the world. Given the significance of this event in this moment, what are we to do? I do not have all the answers. I have been suggesting harsh sanctions, sanctions that bite, that hit Russia hard ever since their invasion of Crimea.

As I have said earlier, what has been done is far too short of what needs to be done to punish Russia for the breach of sovereignty and now this brutal and terrible tragic result and consequence of what they are doing in eastern Ukraine. So first we need to ask the entire civilized world to join the United States, our European allies, and everyone in condemning this outrageous act.

Events like this tragedy have no place in the modern world. This unassailable fact needs to be acknowledged globally and more than once. It needs to be acknowledged repeatedly until it becomes so loud that Putin and the Russians can hear it in Moscow and in the Kremlin and see that what has taken place is the direct result of their engagement in eastern Ukraine.

Secondly, I think we need to demand complete cooperation with the ongoing investigation. Positive steps are beginning to take place far too late, but at least they are starting to take place.

Our commitment to the rule of law, rules of evidence, and to the demands of justice require that we go through this investigative process, and we must insist on the access to do so. We must demand full, immediate, unhindered access to the site of the tragedy, including all parts of the aircraft, missile battery, site evidence and, most of all, proper treatment of the remains of the many victims. President Putin by himself can ensure that success and that access, and he absolutely must be required to do so.

Third, we need to demand an immediate Russian stand-down in Ukraine. Crimes like Malaysia Airlines flight 17 can only happen in such a lawless wasteland—renegades and desperados with their fingers on the triggers of the world's most advanced weapons. Lawlessness reigns in eastern Ukraine because the government of that nation still does not have sovereign control of its own territory.

The situation is greatly exacerbated as a result of President Putin's outrageous territorial aggression. He has already severed an arm of Ukraine and threatened an entire country's disintegration.

Make no mistake, the Russian separatists in eastern Ukraine have been organized, motivated, trained, equipped, unleashed, guided, and controlled by the forces of the Russian Federation which are controlled themselves—with totalitarian execution—by none other than President Vladimir Putin. Now we see a new tragic result of this aggression, of sponsorship, of ruthless renegades—a blatant act of terrorism inflicted on innocent people. This problem will only get worse unless we demand that Russian behavior change and Putin's aggression stop. It needs to be a voice that resounds from every nation, civilized nation, in the world.

The only solution to the Ukraine problem is doing what is consistent with our national law. The demands of order and civility and the requirements of justice are what Russia must acknowledge and that the Government of Ukraine must have sovereign control over its own territory.

No. 4, the United States and Europe must, at last, act vigorously and in unison if we are to succeed in this effort. Until now, President Obama has sent largely weak signals to Putin about the seriousness of Russia's actions. Our European partners have been reluctant to act, some hypnotized by anxiety about their economic dependency on Russian oil and gas. Let us hope that after this horrific act of terror against 298 innocent passengers on Malaysia Airlines Flight 17, this view is changing and changing quickly.

History will see this event as a watershed moment. Some argue that the Soviet downing of Korean Airlines flight 007 in 1983 was an event that exposed the true nature of the Soviet regime and hastened its decay. Similarly, Malaysia Airlines flight 17 reveals to any remaining doubters the nature of Putin and his brutal ambitions and ruthlessness.

With illusions stripped away, the inadequacy of half measures revealed, we must now act and act together. We can respond to this tragedy by forming and forging a new unity. But only the most robust and concerted actions to impose economic sanctions on Russia have a chance to change Putin's behavior and end Russian support for the separatist militants and, to be effective, we and the Europeans must do this together, imposing these costs.

We need to target the fragile Russian economy through sanctions on Russia's energy sector and State-backed arms exporter. While it may take time for Russia to feel the effects of sanctions on the energy sector, we can take action today that would have an immediate effect.

I have previously introduced legislation that prohibits all government contracts with Putin's arms dealers. Taking steps to meaningfully obstruct this agency's work and the revenue it provides the Russian State is one of the most effective ways we can condemn Putin's aggression. Through these specific sanctions we can demand that Putin end his support for the separatists and accept and work toward a stable Ukraine. If not, I suggest we do whatever is necessary to bring Russia's economy to its knees. We need to see that stock market plummet. We need to see confidence and support for anything Russia makes or exports denied by the civilized nations of the world. We need to put measures there to prevent their manufacturing and shipment of arms to people such as Assad in Syria, to the Iranians, to the groups that are creating havoc around the world. Russia's arms exports are a major source of their revenue. We need to stop them.

The decision is in their hands. Following this horrific, brutal, tragic event, they have the responsibility to the world's nations to step up and address this issue.

This crisis has reached a point of high tension, great tragedy, and escalated consequences. These potential consequences are dangerous for all of us but, most of all, they are dangerous for Putin's Russia.

Russia's President holds in his hands the ability to de-escalate this crisis or to pay a very steep price. We need to define and implement that steep price if he doesn't take this action.

It is Putin's choice to bring this situation back from the brink. It is our obligation, along with our European partners, to make Putin's choice crystal clear.

With that, I yield the floor.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Oklahoma.

Mr. INHOFE. What is the general order?

The PRESIDING OFFICER. The time between now and 12:30 p.m. is equally divided, and the Republicans control 5 minutes.

Mr. INHOFE. I ask unanimous consent that I be recognized for 8 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

GLOBAL WARMING

Mr. INHOFE. Later this week we are going to have the EPA Administrator Gina McCarthy come to our Environment and Public Works Committee to testify about the greenhouse gas rule being developed for existing fleets of powerplants. We know what the rule is for the new powerplants; this is for the existing.

In light of that, it is important to point out that the Senate has been debating global warming for well over a decade, actually around 14 years. The first cap-and-trade bill the Senate debated was when Republicans were in the majority. I was chairman at that time of the Environment and Public Works Committee.

The first bill was the McCain-Lieberman bill which would have set CO_2 limits on all utilities that emit at least 10,000 tons of greenhouse gases per year. That was defeated October 30, 2003, by a vote of 43 to 55. That was when I was all alone. Actually, everyone thought eventually something was going to pass and they were all afraid of the issue.

Now times have dramatically changed. Since that time we have had other bills come up. In 2005 we had the same bill by the same authors. It was defeated even at that time by a wider range.

Then in 2008 the Lieberman-Warner bill came up, and it failed also. That was actually when the Republicans had lost the majority. So even with the Democrats as the majority, they were not able to get it through.

Most recently, we debated the Waxman and Markey bill of 2009 which said emissions to facilities over 25,000 tons a year. That bill passed the House, but it was never brought to the Senate for a vote because they knew it would fail.

Each of these bills had one thing in common: Their cost was enormous. We found out—and there was testimony quite some time ago—that if we were to pass cap-and-trade, the cost would be in the area of $300 billion to $400 billion a year.

I do calculations every time I hear a large number and I go back. In my State of Oklahoma, I calculate the number of families who actually file Federal tax returns and do the math. That would cost each family in Oklahoma about $3,000 a year. We know it doesn't make any difference, because the testimony of the Administrator of the Environmental Protection Agency, the EPA, Lisa Jackson, who was appointed by President Obama, said in response to my question on the public record that even if we were to pass something it would not have the effect of reducing CO_2 emissions worldwide, because this isn't where the problem is. The problem is in China and other places.

Since this time—and it is not me saying this—Nature magazine, The Economist, and even the IPCC—the IPCC is the United Nations; they are the ones who started this—they admit for the past 15 years there has been no increase in global temperatures. Meanwhile, the CO_2 emissions have increased a lot. So obviously it is not warming and that is going back into a normal cycle.

Unfortunately, this hasn't deterred the President from making global warming a key part of domestic policy. What he could not have accomplished through legislation he is now doing through regulations at the EPA, but the American people don't want anything to do with this.

I can remember when the polls were something like the No. 1 or No. 2 issue. The last Gallup poll, this past week, had it as No. 14 out of 15 issues. The Pew Research Center—53 percent of Americans, when asked about the cause of global warming, said they don't believe there is enough evidence to blame human anthropogenic gases or to believe that it is caused by natural variation.

This problem explains why it is difficult for Tom Steyer. On the floor I showed his picture and read the comments he had made. He is raising $100 million to put into campaigns. He has already put up $50 million and has been unable to raise anything close to the next $50 million. So people are not rallying to pour money into this lost cause.

The international community is starting to give up too. I was with the Secretary of Defense of Australia last night, and he was one of them who was very strongly in opposition to the cap-and-trade they adopted in Australia and they have now, as of 1 month ago, repealed it. If you look at other countries, and not only Australia but others that were believing this at one time, are dropping off. So the Australian people should thank the Prime Minister.

It is my hope we will be able to protect the American people from the senseless global warming policies in the United States.

Tomorrow we are going to have a committee hearing, and the momentum has actually gone from the other side.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THUNE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ECONOMY

Mr. THUNE. Madam President, here we are—another day in the Senate—facing another political gimmick. That is the way things seem to work in the Democratic Senate, and that is what is happening again this week.

Yesterday Democrats introduced their latest designed-to-fail bill, the Bring Jobs Home Act. It is a bill they

know is not going to pass. The reason I say the bill is designed to fail is because it has already failed. It has been voted on here before in the previous Congress, but that is not stopping the Democrats.

The Bring Jobs Home Act would supposedly encourage American companies to bring jobs back home to the United States and to discourage companies from sending jobs overseas. But the bill completely ignores the real problem and the reason American companies are sending jobs overseas: America's broken Tax Code and our sky-high tax rate on business. America has one of the highest corporate tax rates in the developed world and many companies simply can't afford to pay it and stay profitable.

If Democrats were truly serious about solving the problem of American jobs going overseas, they would be sitting down with Republicans to hammer out reform of our Tax Code. We should be substantially lowering overall tax rates to allow American businesses to keep jobs here at home while remaining competitive in the global marketplace. Instead of serious reform, however, Democrats have chosen to take up a bill that would do nothing to address the real problem we are dealing with. Democrats are not bringing up this bill in the hopes of actually fixing problems. They are bringing it up in hopes of winning a few votes in the November election. This is not a secret.

When Democrats first brought this bill up 2 years ago ahead of the 2012 election, Reuters described it as an example of Members of Congress ''offering up measures they know will not pass but can be used to fire up their respective supporters in the run-up to November's elections.'' That was from 2 years ago, the last time this was brought up. That has been the Democrats' preferred method of operating in the Senate.

Back in March the New York Times reported that Democrats planned to spend the spring and summer on messaging votes ''timed to coincide with campaign-style trips by President Obama.'' Again, that is from the New York Times earlier this year.

The ''Democrats concede,'' the Times continued, ''that making new laws is not really the point.'' ''Rather, they are trying to force Republicans to vote against them.'' That is also a quote which was in the New York Times story a few months ago. Making new laws is not really the point. What we are talking about here is not fixing problems; it is just creating political opportunities.

So 5½ years of Democratic policies have left American families hurting. Unemployment, which the President's advisers predicted would fall below 6 percent in 2012, is still above 6 percent 2 years later. Almost 10 million Americans are unemployed, and 3.1 million have been unemployed for 6 months or longer. Those numbers would be even worse if so many Americans had not given up on finding work and dropped out of the labor force all together.

Our current labor force participation rate is at lows we have not seen since the 1970s during the Presidency of Jimmy Carter. In fact, if the labor participation rate were today what it was when the President took office, the unemployment rate would not be a little over 6 percent, it would be 10.2 percent. That is how many people have entirely quit looking for work.

Household income has plummeted by more than $3,300 on the President's watch. At the same time, prices have risen. Food prices have increased. The price of gas has nearly doubled, college costs continue to soar, and family health insurance premiums have skyrocketed by almost $3,000, despite the President's promise they would fall. And what do you get when you combine high prices, fewer opportunities for employment and advancement and reduced income? You get a lot of struggling middle-class families.

Instead of spending this year taking up serious legislation to help those families, Democrats—by their own admission—have spent this year on political show votes they hope will win them a few votes in the November election.

Last week the Congressional Budget Office issued its yearly long-term budget outlet. The news on that front was grim. The Congressional Budget Office recorded that as early as 2039, under its baseline scenario, the Nation could see public debt reach 106 percent of GDP, which would be a level of debt seen only once before in our Nation's history.

By 2039, under an alternative fiscal scenario, the debt-to-GDP ratio could rise to more than 180 percent of GDP. By comparison, Greece's current debt-to-GDP ratio is 175 percent. In other words, our economy could go the way of Greece's in just a few short years if nothing is done.

We have to take up significant budget reform and reduce the size of government. We need to look for ways we can make government work more effectively and more efficiently by reforming programs that need to be reformed. Chipping away around the edges is not going to get the job done. It is not going to cut it.

Even before the President came into office, our national debt presented a serious and pressing problem. But over the last 5½ years of the current administration, the problem has gotten exponentially worse. If you look at our total debt—which includes the public and intergovernmental debt—when President Obama came into office, our national debt was $10.6 trillion. Today, just 5½ years later, our national total debt stands at $17.6 trillion. That is a 66-percent increase on the President's watch. That is horrifying. Yet President Obama and his party continue to act as if our country is not hurdling toward a fiscal crisis.

Among the President's many fiscally irresponsible policies, ObamaCare stands out as one of the worst offenders. Former Congressional Budget Office Director Douglas Holtz-Eakin has estimated that the President's health care law will increase the deficit by hundreds of billions of dollars in its first 10 years alone and by more than $1.5 trillion over the next 10 years.

Politico reports that the Congressional Budget Office attributes the coming growth of the debt to—among other things—''rising health care costs'' and ''the expansion of subsidies offered through ObamaCare.'' So much for the President's claim that the health care law would be ''the largest deficit reduction plan in over a decade.'' But that is par for the course for the Affordable Care Act.

The President also promised that the law would reduce Americans' health insurance premiums by $2,500. Instead, as I mentioned, they have already risen by almost $3,000, and they are still going up.

I have a few headlines from this past week that I will read into the RECORD. Yesterday's Kaiser Health News reported: ''Florida's Biggest Health Insurer Signals Rate Hikes Ahead.''

The Nebraska Radio Network had an expert who said: ''Nebraskans' premiums may bounce 30 percent under ObamaCare.''

Last Wednesday, the Nashville Business Journal reported, ''Here come higher premiums: Tennessee's insurance providers request rate increases.''

Last Tuesday, the Associated Press reported: ''Delawareans Could Face Higher Rates Under ACA.''

The New Orleans Times-Picayune reported: ''Some insurance carriers looking for double-digit increases for Affordable Care Act policies.''

Those are just a few of the most recent headlines from newspapers around this country last week. I could go on about the health care law's broken promises. I could also talk about the fact that the President promised that Americans would be able to keep their doctors and hospitals, but Americans are now finding the new health plans exclude doctors and hospitals they have literally been using for years or the fact that the health care bill was supposed to give more Americans access to health care but that many Americans are struggling to find doctors who will take their ObamaCare insurance.

One doctor reporting on her patient's experience with the ObamaCare plan said: ''We are running into problems with coverage in the same way we were when they were uninsured.'' Let me repeat that. This is from a doctor talking about one of her patient's experiences with the ObamaCare plan: ''We are running into problems with coverage in the same way we were when they were uninsured.'' If that doesn't sum up the law's failure, I don't know what does.

Then there was the President's promise that shopping for health care on the exchange would be like buying a TV on Amazon or a plane ticket on Kayak. As

Americans quickly found out or are still finding out almost 10 months later, shopping on the exchanges is a lot more like the world's most nightmarish experience with the DMV.

ObamaCare is failing Americans, and so is the Obama economy. Instead of focusing on making things better, Democrats are focused on trying to get reelected in November.

Republicans have solutions to the challenges facing the American people—solutions such as approving the Keystone Pipeline and the tens of thousands of jobs it would support; repealing the ObamaCare 30-hour workweek provision, which is slashing employees' hours and wages; stopping the job-killing national energy tax which will eliminate hundreds of thousands of jobs and drive up Americans' energy bills; enacting trade promotion authority to open new markets to American farmers, workers, and businesses; repealing the medical device tax which is costing American jobs and increasing the cost of health care; and passing real health care reform—the kind that will lower costs, increase choice, and put Americans back in charge of their health care. If Democrats were serious about helping American families, they would be working with us on these priorities instead of tying up the Senate with partisan legislation, and they would be taking up the 40 House-passed jobs bills currently gathering dust on the majority leader's desk.

Every day the Senate spends on designed-to-fail bills, designed-to-fail legislation—bills we know aren't going anywhere—is a day the Senate is not spending on bills to provide real relief to the American people.

It is high time for Democrats to stop wasting time on partisan legislation and start working with Republicans on real reform. Middle-class, middle-income families around this country have been squeezed for long enough. The American people have been waiting long enough. There are 40 House-passed jobs bills waiting for action here in the Senate. Instead, we are spending week after week of the Senate's time voting on bills designed to fail and designed to do nothing more than score political points heading into an election. That is wrong on so many levels. Most of all, it is wrong for the American people, and it has to change.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:34 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

NOMINATION OF ANDRE BIROTTE, JR., TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA—Continued

The PRESIDING OFFICER. There is now 2 minutes equally divided prior to a vote on the Birotte nomination.

If no one yields time, time will be equally charged to both sides.

Mrs. FEINSTEIN. Madam President, I urge my colleagues to support the nomination of André Birotte to be a U.S. district judge for the Central District of California.

I recommended Mr. Birotte to serve as U.S. attorney for this district in 2009. I have been very impressed by his performance in that role since his unanimous confirmation by the Senate in 2010. I believe he will be an outstanding district judge.

Mr. Birotte received his law degree from Pepperdine in 1991 and his bachelor's from Tufts in 1987. He then served as a deputy public defender for the Los Angeles County Public Defender's office. He later spent 4 years as an assistant U.S. attorney in the Central District of California, where he prosecuted violent crime, fraud, and narcotics cases.

In 1999, he spent a year in private practice before moving to the Los Angeles Police Commission, where he served as assistant inspector general and later as inspector general until he became U.S. attorney. As inspector general, Birotte built a strong reputation for fairness and earned the respect of all sides, including in the law enforcement community. In 2009, then-LAPD Chief Bill Bratton—who is deeply respected on both sides of the aisle in this body—wrote to me to express his ''strongest endorsement and support'' for Birotte. As Chief Bratton said: ''In the approximately six years that I have known André, our working relationship has been one of transparency, cooperation, trust, and respect.''

In 2009, as I said, I recommended him to the President for appointment as U.S. attorney. He earned high marks from my bipartisan advisory committee and an outpouring of support from a broad spectrum of respected individuals in the Los Angeles community. The Senate soon confirmed him unanimously and he has served in his current position with distinction ever since.

When I introduced Mr. Birotte to my colleagues on the Judiciary Committee, I went through the impressive work the U.S. attorney's office has done under his leadership in a number of areas. I will not go into each of those cases today, except to note that they cover very important areas of Federal law enforcement, including: national security, gangs and organized crime, sex crimes and human trafficking, public corruption, and civil rights.

Since his nomination was approved by the Judiciary Committee by voice vote, the U.S. attorney's office has continued its impressive track record of enforcing the law. In one case, a Los Angeles doctor who ran medical clinics pleaded guilty to illegally prescribing addictive painkillers and laundering the cash payments, which amounted to hundreds of thousands of dollars.

Last month, the owner and employees of a Los Angeles-area immigration consulting firm were arrested after being indicted for filing fraudulent green card applications. The office's press release states that the defendants quoted fees for their services, but then more than tripled those fees and ''allegedly threatened to contact authorities and have the aliens deported'' after ''several of the foreign nationals sought refunds.''

Just 2 weeks ago, Mr. Birotte's office announced that two men from Long Beach, CA pleaded guilty to ''conspiracy charges arising from a sex trafficking scheme that exploited adult women for prostitution.'' Bill Lewis, assistant director in charge of the FBI Los Angeles field office, stated: ''In this case, the defendants defrauded victims and forced them to work as sex slaves under threat to themselves and their families.'' The office's press release states that both men now face up to life imprisonment.

Let me conclude by saying that throughout his career André Birotte has built a reputation for fairness and for a profound commitment to the rule of law. He has earned the deep respect of people on all sides of difficult issues. In fact, Birotte is supported not only by State and Federal law enforcement, but also by the Central District's Federal Public Defender, Sean Kennedy. Kennedy told my selection committee that Birotte has ''incredible judgment'' and would make a ''wonderful federal judge.'' It says something very special about the chief Federal prosecutor for the second-largest district in the Nation when the chief Federal Public Defender for the district has such high praise.

This is a nominee I am proud to have recommended, and that the Senate should be proud to confirm.

Mr. GRASSLEY. Madam President, I yield back our time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Andre Birotte, Jr., of California, to be United States District Judge for the Central District of California?

Mr. GRASSLEY. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 237 Ex.]

YEAS—100

Alexander	Gillibrand	Murphy
Ayotte	Graham	Murray
Baldwin	Grassley	Nelson
Barrasso	Hagan	Paul
Begich	Harkin	Portman
Bennet	Hatch	Pryor
Blumenthal	Heinrich	Reed
Blunt	Heitkamp	Reid
Booker	Heller	Risch
Boozman	Hirono	Roberts
Boxer	Hoeven	Rockefeller
Brown	Inhofe	Rubio
Burr	Isakson	Sanders
Cantwell	Johanns	Schatz
Cardin	Johnson (SD)	Schumer
Carper	Johnson (WI)	Scott
Casey	Kaine	Sessions
Chambliss	King	Shaheen
Coats	Kirk	Shelby
Coburn	Klobuchar	Stabenow
Cochran	Landrieu	Tester
Collins	Leahy	Thune
Coons	Lee	Toomey
Corker	Levin	Udall (CO)
Cornyn	Manchin	Udall (NM)
Crapo	Markey	Vitter
Cruz	McCain	Walsh
Donnelly	McCaskill	Warner
Durbin	McConnell	Warren
Enzi	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Fischer	Mikulski	Wyden
Flake	Moran	
Franken	Murkowski	

The nomination was confirmed.

NOMINATION OF ROBIN L. ROSENBERG TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA—Continued

The PRESIDING OFFICER. There is now 2 minutes equally divided prior to a vote on the Rosenberg nomination.

The Senator from Florida.

Mr. NELSON. Madam President, just to remind the Senate, Senator RUBIO and I have the nonpartisan process of the Judicial Nomination Commission for our Federal district judges. Robin Rosenberg is a product of that. So I commend to the Senate this bipartisan nominee from the two of us.

Judge Robin Rosenberg is from West Palm Beach, FL. She is a circuit judge for the Fifteenth Judicial Circuit of Florida where she has served since 2007. Prior to her service on the bench, she was a partner at the law firm Rosenberg & McAuliffe from 2001 to 2006.

She worked as an attorney in many capacities including private practice at Holland and Knight, an assistant city attorney for the City of West Palm Beach and as a trial attorney in the Civil Rights Division of the Justice Department. Judge Rosenberg began her legal career as a law clerk for Judge James C. Paine of the U.S. District Court for the Southern District of Florida. She received her juris doctor and a master's degree in 1989 from Duke University and her B.A. in 1983 from Princeton University.

Judge Robin Rosenberg has the support of Senator RUBIO and myself, and was found to be unanimously qualified by the American Bar Association.

Mr. REID. Mr. President, I yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Robin L. Rosenberg, of Florida, to be United States District Judge for the Southern District of Florida.

Mr. WICKER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 238 Ex.]

YEAS—100

Alexander	Gillibrand	Murphy
Ayotte	Graham	Murray
Baldwin	Grassley	Nelson
Barrasso	Hagan	Paul
Begich	Harkin	Portman
Bennet	Hatch	Pryor
Blumenthal	Heinrich	Reed
Blunt	Heitkamp	Reid
Booker	Heller	Risch
Boozman	Hirono	Roberts
Boxer	Hoeven	Rockefeller
Brown	Inhofe	Rubio
Burr	Isakson	Sanders
Cantwell	Johanns	Schatz
Cardin	Johnson (SD)	Schumer
Carper	Johnson (WI)	Scott
Casey	Kaine	Sessions
Chambliss	King	Shaheen
Coats	Kirk	Shelby
Coburn	Klobuchar	Stabenow
Cochran	Landrieu	Tester
Collins	Leahy	Thune
Coons	Lee	Toomey
Corker	Levin	Udall (CO)
Cornyn	Manchin	Udall (NM)
Crapo	Markey	Vitter
Cruz	McCain	Walsh
Donnelly	McCaskill	Warner
Durbin	McConnell	Warren
Enzi	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Fischer	Mikulski	Wyden
Flake	Moran	
Franken	Murkowski	

The nomination was confirmed.

NOMINATION OF JOHN W. DEGRAVELLES TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF LOUISIANA—Continued

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided prior to a vote on the deGravelles nomination.

Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of John W. deGravelles, of Louisiana, to be United States District Judge for the Middle District of Louisiana?

Mr. BLUNT. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 239 Ex.]

YEAS—100

Alexander	Gillibrand	Murphy
Ayotte	Graham	Murray
Baldwin	Grassley	Nelson
Barrasso	Hagan	Paul
Begich	Harkin	Portman
Bennet	Hatch	Pryor
Blumenthal	Heinrich	Reed
Blunt	Heitkamp	Reid
Booker	Heller	Risch
Boozman	Hirono	Roberts
Boxer	Hoeven	Rockefeller
Brown	Inhofe	Rubio
Burr	Isakson	Sanders
Cantwell	Johanns	Schatz
Cardin	Johnson (SD)	Schumer
Carper	Johnson (WI)	Scott
Casey	Kaine	Sessions
Chambliss	King	Shaheen
Coats	Kirk	Shelby
Coburn	Klobuchar	Stabenow
Cochran	Landrieu	Tester
Collins	Leahy	Thune
Coons	Lee	Toomey
Corker	Levin	Udall (CO)
Cornyn	Manchin	Udall (NM)
Crapo	Markey	Vitter
Cruz	McCain	Walsh
Donnelly	McCaskill	Warner
Durbin	McConnell	Warren
Enzi	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Fischer	Mikulski	Wyden
Flake	Moran	
Franken	Murkowski	

The nomination was confirmed.

The PRESIDING OFFICER (Mr. MANCHIN). Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

BRING JOBS HOME ACT—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senate will resume legislative session.

The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I see several other colleagues on the floor. I wish to speak for about 3 minutes on behalf of the nominee who was just confirmed.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEGRAVELLES NOMINATION

Ms. LANDRIEU. Mr. President, it is truly my distinct privilege to be able to speak on behalf of John Weadon deGravelles, a nominee for the Middle District Court in Louisiana. I am very gratified that my colleagues gave him a very strong vote of approval—a unanimous vote—just a few minutes ago. President Obama nominated Mr. deGravelles earlier this year, and I am very pleased I was joined by Senator VITTER, my colleague from Louisiana, in recommending him for his confirmation today.

He is affectionately known to his friends and family as Johnny. He has the support of a wide cross section of community leaders in Louisiana, and that support is based on an extraordinarily impressive scholarship he received to attend college at Louisiana State University, where he majored in sociology and received his juris doctorate from the law school. He excelled

academically and has practiced law now for decades but is still fondly remembered as an extraordinary student.

After graduating from LSU, he served as a clerk at the firm Due & Dodson in Baton Rouge and would later become a partner in that firm. He is now practicing under his own name at deGravelles, Palmintier, Holthaus & Fruge.

As a partner in his well-established firm in Baton Rouge, he has honed his skills as one of the region's most capable litigators in both Federal and State court.

In addition to his work as a lawyer, respected by a broad cross section of leaders, he also taught for 20 years at both Tulane Law School and Louisiana State University. He is very popular, I understand, as a teacher. He is always open to students and his advice is sought after on a regular basis.

He is a very active member of a variety of bar associations, including the American Bar Association, the Federal Bar Association, and the Louisiana State Bar. He was admitted to practice, of course, in the U.S. District Courts for the Western, Middle, and Eastern Districts of Louisiana, the Southern District of Texas, the Fifth, Sixth, and Eleventh U.S. Circuit Courts of Appeals, and the U.S. Supreme Court. He has practiced for literally decades in front of the Federal bench.

He has also been recognized for his outstanding leadership by very distinguished organizations, including the Louisiana Trial Bar, the Louisiana Trial Lawyers Association, and the Council for a Better Louisiana.

He has written dozens and dozens of articles for legal publication. He is a sought-after speaker for seminars throughout the country.

Our former chief justice of the Supreme Court of Louisiana—also the first woman chief justice—Kitty Kimball described Johnny as ''an exceptional lawyer who enjoys the respect of both bench and bar.''

I think one of the most important aspects of his background is that after the devastating storms of Rita and Katrina in 2005, Mr. deGravelles was one of the real champions in helping to set up the Louisiana Association for Justice Hurricane Relief Committee which assisted many displaced attorneys who had no place to practice, clients who were distributed all over the country, and courthouses that were closed—to help the wheels of justice move forward during that very difficult time of upheaval and destruction.

I have every confidence Mr. deGravelles will serve the people of the Middle District as a fair, wise, and very experienced lawyer who will serve as a judge.

I am very proud that this body voted so overwhelmingly in favor of his confirmation today. I know his wife Jan is extremely proud of him, and he and Jan are proud of both children who followed in their father's footsteps. Kate and Neil are both practicing attorneys in Louisiana.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, I rise today to speak about a piece of commonsense legislation the Senate is preparing to consider this week. The bill, which is called the Bring Jobs Home Act, sets out to do just what that name implies—bring good-paying jobs back to America.

Our Tax Code has a fundamental flaw. Right now a U.S. company can decide to cut American jobs, move them overseas, and then claim those expenses as a tax deduction, thereby lowering the amount of taxes the company pays.

If a company decides to move 75 good-paying U.S. manufacturing jobs overseas, not only do we lose good American jobs, but taxpayers in Colorado and West Virginia and throughout the country are footing the bill for the cost of killing those jobs. American taxpayers literally get billed for the cost of shipping jobs overseas.

I don't think it is right to reward companies for cutting American jobs, and I don't think it is right to ask taxpayers to subsidize the cost of moving those jobs overseas. That is why I am cosponsoring the Bring Jobs Home Act in an effort to provide better incentives for U.S. businesses to bring good-paying jobs back to our country and keep them here. Our country is at its best when we produce here in America.

Simply put, the Bring Jobs Home Act is about looking out for the best interest of Coloradans and not the bottom lines of corporations that want to ship their jobs to places such as China and India.

What is best about this legislation is that not only would it end taxpayer subsidies for outsourcing, it would take the money that is saved and invest it in America by offering a 20-percent tax credit for businesses that decide to bring jobs back to the United States.

This legislation is one piece of a larger conversation Congress ought to have about what the Tax Code should look like in the 21st century economy. What are the values it should reflect? What are the incentives it should provide? These are important questions we need to answer, and the Bring Jobs Home Act is an initial step to achieve fair and reasonable reform.

I have been a long-time proponent of tax reform to streamline and simplify the Federal Tax Code because I am convinced—as I believe the Presiding Officer is—that the certainty and predictability it will create will lead to job growth in our country.

Last week Colorado reported that its unemployment rate was 5.5 percent, the lowest since 2008. But we can do more, and this bill is one of the best places to start.

So let's join together and support this commonsense legislation so that we can reward companies that restore and create made-in-America jobs—jobs that shore up our economy and bolster our global competitiveness.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent to make my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE DYSFUNCTION

Mr. HATCH. Mr. President, I rise today to speak about the unique and essential role of the Senate in our constitutional system of government. In doing so, I am of course addressing the American people whom we all serve, but my message today is intended especially for my colleagues in this body.

I had the honor of serving here for more than three decades with one of my closest and dearest friends, the late Ted Kennedy. Our friendship inevitably invited others to describe us as the Senate's odd couple given the vast differences in our backgrounds and our outlooks and because of the many fights we had on the floor as well as the many successes we had together. But my friendship with Teddy flourished, as did our legislative partnerships. Even with polar-opposite political philosophies, we were able to find significant areas of mutual agreement, and we both maintained a great affection for the Senate—an institution to which we had each devoted most of our adult lives.

Toward the end of his life, as Teddy suffered through the terrible affliction that eventually took him from us, he watched his beloved Senate with growing concern. He observed a growing dysfunction beginning to overcome this body. He believed this institution, which he loved so dearly, was breaking down. The man rightly described as the liberal lion of the Senate concluded that this body was no longer working as it must.

My friend Teddy was right, and the Senate has only gotten worse since he diagnosed its ills several years ago. The Senate is more dysfunctional today than at any other point during my nearly four decades as a Member of this body.

I am not alone in this assessment. Former colleagues from both political parties—from Chris Dodd to Olympia Snowe—have spoken out with great passion about the breakdown of the Senate as an institution. It would be hard to find a current Member of this body who, in moments of honest reflection, did not feel as if the Senate is in many respects broken.

Most importantly, the American public has lost faith in this body and largely views the Senate as an institution characterized by dysfunction. To say that today Congress is held in low esteem is an understatement. Our approval rating ranges from the teens to the single digits. One survey found that the public has a higher opinion of

brussel sprouts, root canals, and used car salesmen than of Congress. In many respects, this popular assessment is justified. Throughout my 38 years of service in this body, I have never seen it this bad.

For the sake of our country and the well-being of our fellow citizens, we must restore order and function to the Senate so we can fulfill our constitutional responsibilities and once again conduct the people's business.

In reflecting on the past four decades in the Senate, I have come to realize that I possess an increasingly unique perspective. I have been in the majority for a total of 16 years and in the minority for a total of 22 years. I have served in this body with eight different majority leaders, four Republicans and four Democrats. By contrast, the majority of my colleagues—56, to be precise—have served in the Senate only during the tenure of the current majority leader. Nearly as many have served alongside only the current President. These numbers will increase in the coming months with the retirement of six of our senior colleagues and the potential electoral defeat of others.

To my colleagues who as a matter of firsthand experience don't know anything different, let me say this: The Senate has not always been as dysfunctional as it is today. Quite the opposite. Until recently, this Chamber often lived up to its reputation as the world's greatest deliberative body. We regularly worked together in an orderly and constructive fashion to advance the common good, and we routinely defended our institutional prerogatives against executive encroachment. Unfortunately, none of that is true of the Senate today.

I intend to speak in greater detail later this week about what I believe ails the Senate and how we can restore the health and dignity of this venerable institution. But to understand where we have come from and just how far we have strayed, we must begin at the beginning.

Remarking on the deliberations of the Constitutional Convention, James Madison wisely observed that in determining the form the Senate should take, it was necessary to consider the purposes it would serve. The Framers were clear about these objectives. The Senate was to serve as a necessary fence against what they described as the fickleness and passion that drives popular pressure for hasty and ill-considered lawmaking—what Edward Randolph called ''the turbulence and follies of democracy.'' In fulfilling this purpose, the Senate was to be a place of thoughtful deliberation, an assembly dedicated to careful scrutiny, and a body with great concern for the sovereign States and the individual liberties of all Americans. These were to be the purpose of the Senate. Its institutional design followed directly from these principles.

The relatively small membership of the Senate would amplify the importance of each individual Senator as opposed to Chamber leaders or large voting blocs. Unlike in the House of Representatives, where robust participation by individual Members would be impossibly cumbersome, in this body each Senator could become intimately involved in all aspects of the Chamber's deliberation and debate. Longer terms would allow Senators to resist initially popular but ultimately unwise legislation and allow for vindication of this more measured approach prior to facing reelection. Staggered terms would create a continuing body that could temper unwieldy swings of public passion. Statewide constituencies would require appealing to a broader set of interests than more narrow and homogenous House districts.

In addition, the Senate's authority to determine its own rules would allow the gradual development of traditions and precedents unique to this body and essential to its ends. Building upon the Constitution's defining institutional contours, these historic rules and traditions have shaped the Senate into a body that Gladstone called ''the most remarkable of all of the inventions of modern politics.''

The Senate's most characteristic operating procedure became unanimous consent, which requires the agreement of not just a majority or even a supermajority but of all Senators.

As Senate Parliamentarian emeritus Robert Dove testified before the Rules Committee in April of 2010, the two key features that have come to define to Senate through its history are ''the right of its members to unlimited debate and the right to offer amendments practically without limit.'' With these historic rules and defining modes of operation—unlimited debate and amendments—the Senate rightfully earned the title of the world's greatest deliberative body.

In his 1897 farewell address, the first Adlai Stevenson, then Vice President, captured the essence of the Senate:

> In this Chamber alone are preserved without restraint two essentials of wise legislation and good government: the right of amendment and of debate. Great evils often result from hasty legislation; [but] rarely from the delay which follows full discussion and deliberation.

Stevenson went on to locate in the Senate's time-honored rules and traditions the very foundation of our Republic:

> The historic Senate—preserving the unrestricted right of amendment and debate, maintaining intact the time-honored parliamentary methods and amenities which unfailingly secure action after deliberation—possesses in our scheme of government a value which cannot be measured by words.

In keeping with its institutional design and longstanding traditions throughout most of its history, the Senate has engaged in robust discussion and meaningful debate rather than being dominated by partisan grandstanding and cheap political theater; the Senate has sought to chart a path toward the common good rather than simply messaging to particular interests or serving narrow constituencies; the Senate has acted to cultivate common cause and has enabled constructive compromises and accommodations to advance national priorities even during times of great ideological division; and throughout the Senate's history, individual Members have worked to develop meaningful and enduring partnerships with colleagues on both sides of the aisle rather than marching lockstep with their respective parties and simply heightening the divisions in society.

This institution has served the Nation well when adhering to its enduring principles and characteristic practices. Indeed, for most of the last four decades, as I have witnessed firsthand, the Senate's robust deliberation and open amendment process has facilitated and enabled some of the greatest legislative achievements of the modern era.

One of the most historic of such debates in which I took part occurred in my fifth year as a Senator. President Reagan took office in 1981 facing enormous challenges—stagflation, out-of-control spending, a crushing tax burden, and an underfunded military. His first legislative priority was to cut marginal tax rates, restrain Federal spending, and bolster our national defense. As part of the vanguard of the Reagan revolution in the Senate, I steadfastly supported these policies and campaigned tirelessly to enact these landmark reforms.

In the Democrat-controlled House, the drama unfolded predictably between party leadership and various voting blocs, with conservative Democrats eventually joining Republicans to support what became the Gramm-Latta budget. But in the Republican-majority Senate, while debate was equally passionate, our deliberation was of a very different sort. We discussed many of the legislative provisions at length and voted on dozens of amendments from Senators of both parties covering a wide range of subjects. Many were tough votes on heart-wrenching issues—from child nutrition to cost-of-living adjustments for seniors—but we took those tough votes and ultimately made the difficult choices necessary to usher in unprecedented economic growth.

By allowing numerous votes on minority amendments, Democrats received the hearing they deserved on the issues about which they cared most, and having had the opportunity to fight for their causes, many of these Senators rightly felt they had done everything possible to improve the underlying bill. So when it came to final passage, the Senate's budget passed overwhelmingly by a vote of 88 to 10.

Given the nature of the reforms, that margin was striking. It demonstrates that the opportunity for extended deliberation and an open amendment process tends to yield a final product that can win broad support by giving Members confidence that the ultimate

result represents the considered judgment of the whole Senate.

From the perspective of committed conservatives such as President Reagan and myself, the final amended Senate bill was far from ideal. In the end, while we won support for the tax cuts that spurred growth and for the defense buildup that helped win the Cold War, we could not convince Congress to make meaningful cuts to Federal spending or even to restrain the growth of Federal spending. But to have opposed the final package because it wasn't perfect, because it only achieved some of our goals, would have been madness. Absent passage of the final bill's reforms, the central accomplishments of the Reagan years would never have come to fruition.

In reflecting on how the Senate can and should work, let me also commend the Balanced Budget Act of 1997. I am struck by the similarities between the 1996 election and the 2012 election when voters reelected a Democrat to the White House and a Republican majority to the House. Back then, both sides understood the voters' mandate to seek areas of agreement and develop consensus wherever possible—in short, to set aside partisanship and work together for the common good on the critical issues of the day.

Republicans wanted significant tax cuts and spending controls that many Democrats opposed. Democrats—led by my friend Senator Kennedy—had for years sought an expansion of health care to uninsured children who neither qualified for Medicaid nor had families who could afford health coverage. The debate that transpired over these measures seems almost foreign in today's Senate. Rather than being presented with a final bill as a fait accompli, we had a truly deliberative committee process, a meaningful floor debate, and the opportunity to vote on numerous amendments.

Ted Kennedy and I used the opportunity of an open process to make a key step toward consensus. Teddy was wise enough to realize that I shared his desire to provide health care for uninsured kids who were in need, and I recognized that he was open to innovative means of delivering that care and did not insist on an inflexible, big government bureaucracy to control it. Together, we crafted an amendment that created the State Children's Health Insurance Program—fully paid for, with flexible means of delivery and true State authority over the program. SCHIP is not beloved by ideological purists, especially on the right. But I believe its approach is fully compatible with my conservative principles and a model for a basic, efficient social safety net run by the States.

More importantly, our partnership on this issue demonstrates how the Senate ought to work. This Chamber provides a unique environment—its constructive character, its respect for individual Senators' participation in the legislative process, its forum for thoughtful deliberation, and its open amendment process. Without these, we could never have passed SCHIP and the larger 1997 budget—that was a budget compromise—of which it was a part.

The same is true of the Religious Freedom Restoration Act, which has since served to safeguard fundamental individual liberties, and the Antiterrorism and Effective Death Penalty Act, which is arguably the most important law enforcement measure of the last half century, and so many other landmark accomplishments of the Senate during my time here.

I am proud to have played a role in shaping each of these laws—as part of a constructive legislative process that was possible only as a direct result of the Senate's longstanding rules and traditions. Without this body's characteristic structure and mode of operation, which facilitates meaningful deliberation and ultimate cooperation between diverse viewpoints, such legislative achievements could never have occurred.

Throughout its history, the Senate has advanced the common good—not simply through refining public opinion and translating it into well-considered legislation but also because this body has defended its institutional prerogatives and essential role in our system of constitutional government.

Senators of both political parties have often stood up to executive encroachment—not for partisan gain or political grandstanding but in defense of Congress as a coordinate and coequal branch of government with its own essential authorities and responsibilities.

Implicit in the constitutional design of separating the Federal Government's powers is the idea that each branch would have the incentive and authority to resist encroachments from the other branches, ensuring that unfettered power is not concentrated in any one set of hands.

The Founders recognized this as indispensable to preserving the individual liberty of all citizens. For as Madison counseled in Federalist 51: ''[T]he greatest security against a gradual concentration of the several powers in the same department consists in giving to those who administer each department the necessary constitutional means and personal motives to resist encroachments of the others.''

Senator Robert C. Byrd of West Virginia embodied this institutional ideal as much as anyone with whom I have served. Although he helped lead this body for more than a half century and left us just 4 short years ago, I was surprised and dismayed to learn that a full third of current Members never served alongside him.

Senator Byrd fiercely defended this body's prerogatives and independence against the encroachments of the executive branch. And he neither censored his criticisms nor weakened his defenses based on the President's political party. Even in his twilight years, when President Obama took office with extraordinarily high approval ratings, Senator Byrd was willing to hold the new President's feet to the fire to defend the Senate's right to give advice and consent to nominees.

He publicly chastised the new White House for its excessive reliance on czars, observing that unconfirmed policy chieftains ''can threaten the Constitutional system of checks and balances. At the worst, White House staff have taken direction and control of programmatic areas that are the statutory responsibility of Senate-confirmed officials.''

In addition to defending the Senate against executive encroachments, Senator Byrd was a stalwart defender of the Senate's most characteristic and historic features. He regularly spoke to newly elected Senators, admonishing each of us before we even took office to learn about the body to which we had been elected and in which we would serve. Senator Byrd was as good as anyone I have ever known at explaining the direct connection between the design of the Senate and the liberty that all Americans cherish.

In November 1996, for example, when speaking to the incoming freshman Senators, he stressed the two most critical and distinguishing features of the Senate's operation. Like so many other students of the Senate, he steadfastly maintained that ''as long as the Senate retains the power to amend and the power of unlimited debate, the liberties of the people will remain secure.'' That was Robert C. Byrd, one of the leading Democrats of all time. Throughout his time in this body, Senator Byrd never abandoned this message. He stood up for the Senate's defining characteristics, no matter which party was in the majority and no matter who occupied the Oval Office. He even took on his own President from time to time.

A few months before his death in 2010, he wrote to his colleagues identifying the right to amend and the right to debate as ''essential to the protection of the liberties of a free people.''

We need a renewed dedication to the special role of the Senate and its institutional prerogatives that Senator Byrd exemplified so well. He was right to counsel incoming colleagues to ''study the Senate in its institutional context, because that is the best way to understand your personal role as a United States Senator . . . [Y]ou must find the time to reflect, to study, to read, and, especially, to understand the absolutely critically important institutional role of the Senate.''

Many of my colleagues—even those with whom I rarely agree—have the potential to be great Senators and statesmen: worthy stewards of this institution, zealous guardians of its prerogatives, and true defenders of its role in our constitutional system of government.

But, sadly, whether blinded by partisan loyalty to the President or too inexperienced to understand the Senate

from any other perspective than having a like-minded Senate majority and President, too many of my colleagues on the other side of the aisle have allowed—even facilitated—the breakdown of the Senate's vital institutions and role.

From our right to debate and amend through regular order, to our role giving advice and consent to the President's nominees, the Senate has emasculated itself. By doing so, we only abandon our responsibilities, discard our authorities, and lay ourselves prostrate before a politically destructive President.

It is past time to restore the Senate's rightful place in our constitutional order. I urge my colleagues—both Democrats and Republicans—to join me, to stand and fight for the greatness of this body and start standing for the rights and the powers of the legislative branch. That is what we are here to do, in addition to enacting good laws. But you cannot enact really great laws without full and fair debate, without full and fair right to amendments. This is a great body, but it has gone downhill a long way over the last number of years. No President deserves total fealty by this body or by his or her party Members in this body.

All I can say is, it is time for us to start acting like the Senate. It is time for us to have full and fair debate. It is time for us to have open amendments. And that goes for Democrats and Republicans.

I thank the Presiding Officer.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. STABENOW. Mr. President, I rise today to speak about something that I think we should all be able to agree on; that is, every American—every American worker—deserves a fair shot to get ahead. One of the great things about our country is that has been a fundamental value or belief, and we need to make sure that value still holds in America right now: If you work hard, you have a chance to have your fair shot to get ahead.

American workers are the best in the world. I can tell you that coming from Michigan, where we make things and grow things, and I am very proud of it. They can outcompete anyone and will win in a fair fight. Unfortunately, too often the fight is not fair today. We see a tax system that is really rigged against jobs in America too many times, and we need to fix that.

Right now our Tax Code contains a shocking loophole that forces taxpayers to foot the bill when companies move jobs overseas. I think most Americans would say: What? Say that again. Companies are packing up and leaving the country, and the Tax Code is rewarding it and we are paying for it?

Workers are forced to pay to ship their own jobs overseas to China or Mexico or other places around the world, and that is something that is very difficult to understand and believe.

Not only do you get laid off, but then you turn around and through your taxes, through tax writeoffs, you are forced to pay for sending your own job overseas. Communities see a factory close, and through their taxes they end up paying for that empty factory in the community. Of course, we have seen way too many in Michigan. Our country sees that.

This is outrageous. It is long past due to end. The good news is we have a chance to fix it tomorrow together on a bipartisan basis. I hope we will have 100 votes of people saying: We want to proceed to the Bring Jobs Home Act.

I want to thank Senator WALSH from Montana for taking the lead. He has very specific stories to tell about what has happened in Montana. Senator MARK PRYOR from Arkansas is the same—very passionate about this. I am very pleased to have the opportunity to join with them as we lead this effort to stand with American businesses that want to stay in America, and workers, families, and communities, and that we send a very strong message about what we think our Tax Code should incentivize by passing the Bring Jobs Home Act. We will have a chance to do that tomorrow.

It is very simple. It closes an outrageous tax loophole that forces taxpayers to foot the bill for companies that move job overseas and replaces it with a tax cut that rewards companies for coming home. In the great State of Michigan we make things. We have always done that. It is part of our identity and our source of pride. It is the backbone of who we are. It is the backbone of the middle class, quite frankly. I do not think we would have a middle class unless we made things and grew things, which is what we do in Michigan. I know that is done in West Virginia and around the country. It is certainly what has created the middle class of this country.

But here is what we have seen, because of a number of things. One of those is the Tax Code that does not make sense in terms of keeping jobs here. Between 2000 and 2009, in the last 10 years, 2.4 million jobs were shipped overseas. We have a lot of different ways we want to turn that around. In fact, it is being turned around for a number of reasons now. We are beginning to see them come back. But 2.4 million jobs shipped overseas.

To add insult to injury, the American taxpayers were asked to foot the bill. That is just the bottom line. So what you see is people who have worked all of their lives for a paycheck get a pink slip instead. They played by the rules, but they were left on the sidelines. The company takes the jobs overseas and gets a tax break for shipping jobs overseas.

When the Tax Code creates incentives to ship jobs overseas, it is a sign there is something seriously wrong. We have an opportunity to fix it. It starts tomorrow. Our Chair of the Finance Committee, Senator WYDEN from Oregon, believes this as fiercely as I do, that we need to fix this. I am so proud to be a part of his committee. I know he is committed to making our system more competitive in a global economy. We need to do that. But right now we can close a tax loophole. We have to close a tax loophole so we can stop the flow of jobs going overseas. That is the least we can do. In fact, we should be adding to this first step by stop paying for the move.

We ought to be closing the loophole that allows folks to act as though they are moving on paper, an inversion, when they do not actually move the plant. We ought to be focusing instead on how we are all in this ship together in America paying our fair share and moving the country forward, creating jobs, opportunity, strengthening the middle class.

We still have more jobs leaving than coming back, but we do have a number of companies that are doing the right thing. We need to support them. The smart thing they are doing is bringing jobs back. They are bringing them back to Michigan and to States all across the country. We say welcome back and we say thank you. We should reward these companies. For those companies that are still on the fence about whether to bring jobs back to America, we should help them make up their minds by giving them new tax incentives.

The Bring Jobs Home Act will not only end the practice of allowing companies to deduct the expenses of sending a job overseas, it will also allow companies coming back to deduct their expenses and give them an additional 20-percent tax credit for the cost of bringing jobs back.

This is very simple. Stop the subsidy that is paying for shipping our jobs overseas. Allow the tax writeoff to bring jobs back. Add to it an additional tax cut of 20 percent in order to be able to support our companies that are doing the right thing.

We have got a lot of examples of companies doing the right thing right now. For example, Whirlpool realized it needed to respond more quickly to customer requests in the United States and Canada, so they moved their washing machine manufacturing operations back from Mexico and Germany into Ohio.

GE used to make its hybrid water heater in China. The company needed to trim international shipping costs and wanted more control of the product. They brought manufacturing of appliances back to the United States.

But we are not just talking about manufacturing jobs, which of course

are so very important. Again, GE realized it needed the kind of IT engineering talent it could only find in Michigan. So work that was being done in India is now being done in Van Buren Township in Michigan, as they brought jobs home.

We know that because of the explosion in natural gas and the current low prices, this is an incentive. I want to thank the Presiding Officer for his understanding of that and the importance of supporting American manufacturing, American businesses. We have a number of advantages right now to bring jobs home, to create jobs in America, including not only low energy costs but the finest workers in the world.

We have creative minds with new ideas and hard work and innovation at university labs, and public research and public-private partnerships that are going on, forging technology, empowering world-class innovation. So there is a lot we can be proud of. Manufacturing is, in fact, coming back.

I am proud that part of that is we stood with our American automobile industry at a time when they needed America to be with them and keep manufacturing jobs.

More than 12 million Americans are working in manufacturing today. We created 7,000 new manufacturing jobs in Michigan last month alone. So we have the right policies. We can continue to keep that going. We are at such a tipping point. We are in a situation where we are saying: Okay, you can write off the move; hey, you do not even have to move; you can just change the paperwork, going through these changes of the inversion, and still get all of the benefits of America: the cleanest air and water, and our innovation, education, and roads, and all of the things that are great about America but you are allowed to just change the paperwork and avoid contributing as Americans, to strengthening and being a part of our country.

We are at a tipping point. We have to make some changes that make it very clear whose side we are on. If we want everybody to have a fair shot, part of that is starting with a Tax Code that actually incentivizes a fair shot, not a system that is rigged against the people going to work every day, working hard, trying to get ahead, playing by the rules, all of that which we have grown up believing was the right thing to do in America. We have to make sure the Tax Code reflects the right values and the right policies.

So we are at a point now where we need to put in place the Bring Jobs Home Act. That is going to nudge some of those companies. We need to make some other changes that are going to make it very clear that we want and are committed to jobs in America, manufacturing in America, IT innovation in America, all the other work we can do so well.

You know, if we do not speed this up, at the current rate of jobs coming home, it is going to take us 100 years to bring back all of the jobs we have lost throughout this time. We can do better than that. We have to do better than that. The good news is, we have the power to speed up this process by putting in place the right policies, giving the companies that want to do the right thing the right incentives, the incentives to bring jobs home.

It is time for our Tax Code to stop working against workers, families, communities, and the businesses that are in America, and start working for Americans, for the American middle class. It is smart tax policy we are talking about. I think it is plain old common sense. People in Michigan kind of look at this and go: Why are you even debating this? Why do you have to have a motion about proceeding to this bill? Why is that not something everyone agrees to on a voice vote? People cannot believe we are doing this in our Tax Code. So this is a very important step. We can do this on a bipartisan basis.

I know we have colleagues who are concerned about what is happening on both sides of the aisle. Now is the time to show we can come together and make sure we have the jobs we want for our children and our grandchildren, the next generation. I hope we see an overwhelming bipartisan vote tomorrow.

I cannot think of a single reason why anybody would be opposed to the Bring Jobs Home Act. Why would anyone be opposed to giving every American a fair shot, giving every worker a fair shot to a good job and the ability to care for their families and get ahead? A strong bipartisan vote would send a wonderful message that we can work together, that we get it, that this country will not succeed if it is just about a privileged few and everybody else losing ground, losing the grip to the middle class or having no chance to get into the middle class.

This is an opportunity, with our vote tomorrow, to not only bring jobs home but support the American middle class.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REED. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

60TH ANNIVERSARY OF THE NEWPORT JAZZ FESTIVAL

Mr. REED. Mr. President, today I rise to recognize the 60th anniversary of a Rhode Island institution, the Newport Jazz Festival. At this time, I wish to yield to my colleague Senator WHITEHOUSE for his reflections on the Newport Jazz Festival. After he speaks, I will give my statement on this remarkable Rhode Island event. I yield now to my colleague.

Mr. WHITEHOUSE. I am delighted that Senator REED organized for the two of us to come down to the floor today.

Newport, RI, is a venue for many wonderful and remarkable events, from the America's Cup of the old day, to the Volvo Around the World ocean races now, to the Newport Folk Festival, and, of course, what we are here to celebrate today is the Newport Jazz Festival, celebrating its 60th anniversary.

Since 1954, this festival has provided generations of Rhode Islanders and visitors with the opportunity to experience some of the world's finest jazz music, and it has brought countless visitors to our Ocean State to witness these performances and enjoy our other great Rhode Island beaches and other amenities.

The Newport Jazz Festival began as the brainchild of Elaine and Lewis Lorillard, who financed the first festival as a way to bring some outdoor excitement and activity to Newport in the summer. In what would become a historic partnership, they reached out to George Wein, a Boston jazz club owner, to help them organize the event. Their creation became one of the first dedicated jazz festivals in the United States and ultimately came to shape the genre in ways they never could have anticipated.

The first festival was held on July 17 and 18, 1954, and included some of the finest performers ever to grace the stage, including Ella Fitzgerald, Billie Holiday, and Dizzy Gillespie. Held at the Newport Casino in Newport's Bellevue Avenue Historic District, that first festival included outdoor performances that allowed attendees to sit on the lawn and enjoy a beautiful Rhode Island summer day while reveling in the music. The event garnered national media attention, and it drew over 13,000 people to Newport on its very first start.

In the 60 years since that first festival, Newport has served as the backdrop for some of the most notable performances in the history of jazz. It was at the Newport Jazz Festival that Miles Davis first introduced the world to what would become known as hard bop jazz, mixing in sounds from the blues and gospel music. Duke Ellington's performance at the 1956 festival of ''Diminuendo and Crescendo in Blue'' is considered one of the greatest single performances in the history of jazz and revitalized Ellington's career. A number of performances at the festival have gone on to be released as independent albums, including acts from Ella Fitzgerald, Ray Charles, Nina Simone, and Miles Davis. The list of legendary performances goes on, with every year bringing a new crop of inventive jazz musicians to put their own mark on the festival's history and on their original art form.

Since his original partnering with the Lorillards in 1953, George Wein has gone on to replicate his success in Newport throughout the country, while maintaining Rhode Island's event as

the flagship in the industry. He will do so again this year, still going strong as he closes in on his 89th birthday.

Under his leadership, on Friday, August 1, Newport will welcome thousands of eager music lovers looking to hear the best performers in modern jazz. The ticket this year includes Wynton Marsalis, Trombone Shorty, David Sanborn, and many others.

Additionally, in commemoration of this 60th anniversary, the festival will for the first time run for 3 full days, with shows lasting through the weekend.

The festival no longer takes place at the Newport Casino, as it has outgrown that original home and it has expanded to three stages that are set up on Narragansett Bay at the historic Fort Adams State Park, looking out on the Newport Bridge and the East Passage, with the ships sailing by. However, the Newport Jazz Festival still provides guests with the same opportunity it did 60 years ago to come and enjoy the Rhode Island summer and hear up close some of the finest jazz in the world.

I join my senior colleague Senator REED in applauding the city of Newport for its outstanding commitment to the arts, and I thank so many dedicated individuals who have worked so hard over those 60 years to keep this wonderful tradition alive. I look forward to another 60 years of amazing jazz in Rhode Island. I once again thank my senior Senator for organizing us to be on the floor together for this recognition.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. I thank Senator WHITEHOUSE for his eloquent remarks about the jazz festival, which is a great Rhode Island institution. Indeed, it is a great American invention.

The Newport Jazz Festival owes its beginnings to the vision and financial backing of Elaine and Louis Lorillard, who in 1954 wanted to do something with jazz in their community in Newport. Through their collaboration with George Wein, a jazz pianist and club owner with a vision, the jazz festival was born. Today the festival has grown to be one of the largest and most well-known jazz festivals in the Nation—indeed, I would say the world—attracting a whole new generation of artists and music fans. It also helped pave the way for the creation of the Newport Folk Festival—another pillar of the music festival community.

George Wein, in producing the Newport Jazz Festival, did not set out to change the world; he set out to make great music. But, as history has shown, great music and great art can change the world. What George Wein did over many summers was produce something more than extraordinary festivals; he produced the soundtrack of freedom for a generation of Americans.

Since its founding, the Newport Jazz Festival has seen an eclectic range of performers—emerging and established—many at the peak of their art—all embellishing their credentials through their performances. From Duke Ellington, to Frank Sinatra, to Led Zeppelin, the Newport Jazz Festival has seen them all. Its ongoing mission is to celebrate jazz music and to make the case for its relevance.

The 60th anniversary festival stays true to its core mission. It will kick off on August 1, 2014, and is scheduled to feature a variety of talent over 3 days, including Wynton Marsalis playing with the Jazz at Lincoln Center Orchestra, Trombone Shorty, and Dr. John. It will also include one musician who played at the inaugural Newport Jazz Festival, Lee Konitz.

Newport continues to attract top-notch performers and is still a must-see event for jazz and music aficionados alike.

I would also like to recognize the impact the Newport Jazz Festival has had and continues to have in our great State of Rhode Island. Each year, the thousands who flock to Newport to witness the festival also have an opportunity to experience the treasure of a Rhode Island summer. In this way the Newport Jazz Festival has served as a major source of tourism—an important industry for our State—and should be viewed as a model for other communities to follow.

I am proud to call the Newport Jazz Festival a home State event. On this milestone anniversary, I wish to congratulate my dear friend George Wein, the festival board, and all those who have worked and those who continue to work to put this outstanding event forward each year. Best wishes on a successful 60th anniversary festival and for continued success in the future.

CONGRATULATING THE NEWPORT JAZZ FESTIVAL

Mr. REED. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 510, submitted earlier today by Senator WHITEHOUSE and me.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 510) congratulating the Newport Jazz Festival on its 60th anniversary.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REED. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 510) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

Mr. REED. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. VITTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BORDER CRISIS

Mr. VITTER. Mr. President, today I wish to speak about a pressing issue—really, a crisis, and I don't use that word lightly—of some 52,000 unaccompanied alien children streaming across our southern border with Mexico, coming into our country, and that number is continuing to grow. In fact, the Obama administration itself says that number could reach 90,000 or more by the end of the fiscal year on October 1—in just a few months.

Again, this is a crisis on many levels. It is a border crises. It is a national security crisis. It is a humanitarian crisis. It is a fiscal issue for our country. It is a very serious situation.

I talked about it on the floor last week and laid out, broadly speaking, the policy response I think we need to have so this flow does not continue to grow. Today I come back to the floor, and I wish to speak about two things—specifics I have learned about how this crisis is specifically affecting Louisiana. I am really concerned about that. I am sure every Member here is concerned about the direct impact on their State.

No. 2, there is legislation I have introduced to directly respond to this crisis. Again, it is a real crisis.

In Louisiana, just in the last week or so, I have learned a number of specifics that are significant and continue to raise my concerns. I wrote the Secretary of Homeland Security asking a number of detailed questions some time ago, including about impacts on Louisiana. Unfortunately, I have heard nothing from the Department. I have received no response yet to that letter. I will follow up and get a response. In the meantime, these are specifics I am hearing from other reliable sources:

First of all, the Hirsch Memorial Coliseum in Shreveport, LA, has been apparently contacted by the Department of Homeland Security about locating space for the housing of illegal minors—setting up a camp, a facility specifically for that. No Member of our delegation was contacted. I had asked specific questions about any activity impacting Louisiana. I wasn't told, but they were contacted directly.

This isn't happening. It is impractical. It can't happen at the Hirsch Memorial Coliseum. They have many commitments and a lot of things they need to do there. So I don't think there is any chance of this sort of detention facility being set up there. But they were contacted.

In addition, there are thousands of new ICE cases regarding unaccompanied alien children. First of all, before the current crisis began there was a backlog of these UAC cases being sent to Louisiana with family members or sponsors. So there is a backlog of about 2,000 cases. Apparently, since

this crisis started developing in the last several months, we have 1,259 new juvenile cases for Louisiana alone. That is a significant number for a State the size of Louisiana.

We believe these are folks being sent through the Chicago detention facility to be united with family members or other sponsors in Louisiana. Again, this is exactly the sort of thing I had asked the Department of Homeland Security about. I haven't received any response to my letter. I haven't received any official formal response to my specific questions. We have had to learn this through other sources, talking to some ICE officials and others directly. This is really concerning. If this is going on in Louisiana, this is going on in every State of the country, and it underscores what a serious situation and in fact a crisis on many different levels this is.

That is why last week I introduced legislation to try to address this very serious situation, this border crisis. I introduced S. 2632 to address specifically the UAC issue. I will outline broadly what it will do.

Broadly speaking, it will make sure we detain these individuals, don't release them to relatives, family members, sponsors—don't release them out into society but detain them, and have a much quicker, more efficient process for deporting them and returning them to their home countries. Specifically, we would have mandatory detention of all unaccompanied alien children—UACs—upon apprehension.

No. 2, we would amend TVPRA to bring parity between UACs from contiguous and noncontiguous countries. As most Senators know, we have a more streamlined, workable process for unaccompanied alien children from contiguous countries—namely, Mexico as well as Canada—but it is much more of an issue with Mexico. We would bring noncontiguous countries—Central and South American countries apart from Mexico—into the same category and treat those aliens the same way.

Third, those UACs that do not voluntarily depart—which is part of the process dealing with Mexican UACs—will be immediately placed in a streamlined removal process and detained by the Department of Homeland Security. Currently, UACs are transferred to HHS and their Office of Refugee Resettlement, where they, quite frankly, disappear into the United States. They are reunited with parents or sponsors living in the United States, often illegally. What that means as a practical matter is they essentially disappear into our country.

Fourth, anyone with gang affiliations, whether those affiliations are renounced or not, will be immediately placed in expedited removal proceedings under INA 235(b). Therefore, that would make them ineligible for asylum status.

Fifth, we would raise the standard for asylum determinations, from a standard where it is now ''credible fear,'' which is extremely subjective and, quite frankly, a standard that is too easy for these folks to meet, simply by repeating the right magic words which they learn about as they come here. We would raise that standard from ''credible fear'' to ''substantiated fear of persecution.''

Sixth, within 72 hours of an initial screening, all UACs found not to have a claim for asylum will be given a final removal order and placed on the next available flight to their home country, subject to determinations of cost, feasibility, and any repatriation agreements with their home country.

Seventh, a final order of removal is not subject to review and sets, as a minimum, a 10-year bar to reentry.

Eighth, upon apprehension, biometric data—including, but not limited to, photographs and fingerprints—will be collected for future enforcement use.

Ninth, and finally, the Department of Homeland Security will report annually to Congress on the number of apprehensions, the number of removals, the number of voluntary departures, et cetera. And specifically, in no event shall a voluntary departure be counted as a deportation.

Now, what does all this mean? It is a very detailed bill. We put great time and effort into the specifics of the legislation. We need to get the specifics right. But what does it mean? It means we are stopping catch and release. It means we are stopping simply releasing these folks out into the country, to family members or to sponsors, where they are usually never heard from again. They don't show up for court dates and they don't respond to any enforcement actions. Catch and release is a complete failure because it essentially means being released in the country for an extended period of time, and it means we retain control and detention and then have a quick, efficient process for removing them from the country. That is the only way we will stem this increasing flow—still increasing. The number of unaccompanied alien children is still mounting and mounting and mounting.

I called this a crisis at the beginning of my remarks, and it is. It is a crisis on many different levels. It is a border crisis, it is a law enforcement crisis, and it is a fiscal issue. As many folks have correctly said—particularly on the left—it is a humanitarian crisis.

The biggest threat to these individuals in humanitarian terms is the fact that they are entrusted and put in the hands of outright criminal gangs, often drug lords and drug gangs, coyotes—folks who do not have their best interests in mind, and very often in that process they are abused in multiple ways. That is a humanitarian travesty and it is a humanitarian crisis.

The problem is we have a policy right now that encourages that treatment and allows for those numbers to grow and not to be brought back down to zero. We need a different policy that discourages and stops that. Fundamentally, the way to do that is to apprehend these individuals, and instead of releasing them into the country—which means the illegal gang smuggling operation has been successful—quickly and efficiently deport them back to their home country. That is the only action which will reverse the message that has gone out far and wide in Central and South America, which is to send your minors because President Obama has an Executive order that says we won't prosecute them. That is the message that has been heard and the fundamental message we have to reverse, and you only reverse that message if you reverse the policy through specific actions such as what I have described.

This is a graph which very clearly shows that deportations of this class of illegal aliens have plummeted under President Obama. President Obama often points to a change in the law in 2008 that was part of that equation. He complained about that for weeks and weeks when this crisis first hit the front page of the paper. The problem is when it comes to his proposal which was sent to Congress about how to deal with the crisis, he didn't ask to change the law. He didn't ask for any new authority to expedite the removal process. All he asked for was $3.9 billion, largely for the housing and feeding of these aliens and not for expedited and effective removal. That is what we need to change. This trendline is what we need to change in order to address the problem and stop this mounting flow and crisis at our border.

I hope we act in a responsible way by adopting this sort of policy and catch and release and detain these folks. Of course we need to treat them humanely and provide what we need to provide for them in the limited period of time we have them detained, but don't release them into the country with family members and often other illegals or sponsors. Detain them and deport them to their home countries. That is the only appropriate response which will stop this crisis from continuing to grow and stop the abuses and humanitarian crisis from continuing to grow.

I encourage my colleagues to come around to this commonsense solution. The American people have already done that. Have a townhall meeting on this. I don't care what State you come from. Look at the polling on this issue. The American people have already reached this commonsense consensus. The question is, is Washington going to catch up and follow? Are we going to reach the same commonsense consensus and respond in a commonsense way that solves the problem rather than just growing it or throwing money at it?

I encourage all of us from both sides of the aisle to come around to this sort of consensus approach. Of course I favor the specific legislation I have filed, S. 2632, but it doesn't have to be exactly that vehicle. It does have to be

that general approach in order to stop this mounting flood of illegals at our southern border and to deal with this crisis—including the humanitarian crisis—effectively rather than continuing to deal with it in a way where the numbers, the burden, the crisis, and the abuses continue to grow.

In closing, I will say I am, again, very concerned, as I am sure every Member in this body is, about the specific impact to my State. I mentioned some of those impacts. I didn't get those details from the Department of Homeland Security even though I specifically asked for that from the Department. I have had no real cooperation or information from the Department. I had to search out that information from other reliable sources. I will continue to do that, and I will continue to get the word out to Louisianans because they deserve to know what our State and communities may be dealing with.

In the meantime I hope the Department of Homeland Security will actually answer my letter, answer my questions, and give us the details directly so we all know exactly what we are dealing with as a country and in our individual States.

I thank the Presiding Officer, yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. WARREN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUPPORTING DISABILITY RIGHTS MILESTONES

Mr. HARKIN. Madam President, this is a very important week for Americans with disabilities. Just a few hours ago, at the White House, the President signed the Workforce Innovation and Opportunity Act which includes a reauthorization of the Rehabilitation Act. This will ensure that young people with disabilities have the skills and experiences to enter into competitive integrated work settings and will be ready to be economically self-sufficient—one of the key goals of the Americans with Disabilities Act.

This bill received extraordinary bipartisan support from an overwhelming majority of Democrats and Republicans. The final vote in the House was 415 to 6 and the final vote in the Senate was 95 to 3. This is a great testament to the bipartisan support in Congress for advancing the rights and opportunities of people with disabilities in the United States.

Also this week, on Saturday, July 26, we will celebrate the 24th anniversary of the signing of the Americans with Disabilities Act by then-President George Herbert Walker Bush. As the chief Senate sponsor of that law in 1990, I worked closely with Senate and House colleagues on both sides of the aisle to advance the bill. Again, we couldn't have succeeded without the strong and active support of a Republican President, George H.W. Bush, and key members of his cabinet.

When we passed the ADA, as it is known, 24 years ago, the vote was overwhelmingly bipartisan. In the Senate, we passed it by a vote of 91 to 6, and in the House it was 403 to 20. So not only were the votes bipartisan, the arduous work of crafting the ADA and getting it to that point was also bipartisan. I worked shoulder to shoulder with indispensable partners, including Boyden Gray, President Bush's White House Counsel; Richard Thornburgh, Attorney General of the United States at that time; and here in the Senate Senator Bob Dole, who was so key in helping us to move this legislation forward at that time.

Senator Dole was instrumental. In fact, I always remind my colleagues the first speech Senator Dole ever gave on the Senate floor when he was elected to the Senate—his maiden speech—was on that topic, the topic of people with disabilities and their rights and how there should be more opportunity for people with disabilities. It was a great speech.

I think it is also known that today is Senator Dole's birthday. So I, and I am sure my colleagues will join with me, am wishing Senator Dole a very happy birthday today and asking to recommit ourselves, as he did at that time, to work in a bipartisan fashion to make sure people with disabilities not only in this country but around the world have more opportunities to live a full and meaningful life. So happy birthday, Bob Dole. We worked together for a long time on these issues.

Today is another interesting day. Today, the Senate Foreign Relations Committee, on a bipartisan vote of 12 to 6, passed out of the committee the United Nations treaty on disabilities, formally known as the Convention on the Rights of Persons with Disabilities. A major part of my remarks today is about the United Nations treaty, now known as the Convention on the Rights of Persons with Disabilities—or the shorthand version is CRPD as it is known here and globally.

For most of our recent history, support for disability rights, as I have just mentioned, has been across the political spectrum. But now, as the full Senate looks ahead to the consideration of the Convention on the Rights of Persons with Disabilities, we are beginning to see an unfortunate erosion of the bipartisan support for disability policy.

Now, again, I wish to make clear that the Foreign Relations Committee reported the bill out this morning on a 12-to-6 vote. It was bipartisan. A couple things are in order: first, a recap of the history; and secondly, a very profound thank you to Senator BOB MENENDEZ, the chairman of the Foreign Relations Committee, for his tremendous leadership in crafting and getting this bill through this Congress in his committee. I have spoken with Senator MENENDEZ many times about this issue. He has been dogged in his pursuit of getting a bill and getting it through the committee and to the Senate floor. And it hasn't been easy, quite frankly. Again, I will recap a little bit of that history for the benefit of my fellow Senators who may not follow this as closely as I follow it.

Again, this convention came through the committee this morning. It is now awaiting a 24-hour layover before it can go on the executive calendar. As I said, there has been some erosion in the bipartisan support for disability policy, but it is limited because I think most Republicans and Democrats agree there is no objective reason for partisan discord when it comes to disability rights. Senator JOHN MCCAIN is a tremendous supporter of disability rights and was with us when we passed the ADA in 1990 and was, again, a strong supporter at that time. He has been a strong supporter of the Individuals with Disabilities Education Act and other legislation dealing with disability rights, including disability rights amendments we passed in 2008. So Senator MCCAIN has long been a strong supporter of enhancing and improving the rights of people with disabilities to have a full and meaningful life—to be able to have the opportunity to go to school, to learn, be educated, and to have people work and to live independently.

So here is what Senator MCCAIN said this morning in support of this disability treaty. He said: ''Ratifying this treaty affirms our leadership on disability rights and shows the rest of the world our leadership commitment continues.''

Senator MARK KIRK is not a member of the committee but he said this about the disability treaty:

> I want to say as a recently disabled American . . . how important it is to adopt this Convention . . . Too often we have a problem of thinking of our veterans as victims. They are victors. . . . This convention allows people to become victors instead of victims.

And again, one of the true giants of the Senate, former Senator Bob Dole, who, as I mentioned, celebrates a birthday today—had this to say about this disability treaty:

> U.S. ratification of the CRPD will increase the ability of the United States to improve physical, technological, and communication access in other countries, thereby helping to ensure that Americans—particularly, many thousands of disabled American veterans—have equal opportunities to live, work, and travel abroad.

The fact is this treaty is supported by many respected, thoughtful, conservative Republican leaders. I can cite many more statements from colleagues and other Republicans. The simple truth is that Republican leaders who care deeply about our Nation's sovereignty are equally impassioned in their support of this disability treaty.

So the Convention on the Rights of Persons with Disabilities does not need to be and should not be a partisan issue, despite the misguided efforts of

some to make it so. It is deeply unfortunate that narrowly focused opposition from groups with special interests that are far afield of the bipartisan consensus in support of disability rights have tried to drag this treaty into partisan warfare. These groups have spread fear about some imaginary, hypothetical, unreal loss of U.S. sovereignty. They try to scare parents into thinking they are going to lose control of the education of their children or that they won't be able to home school their children or they have raised the issue of abortion, which has nothing whatsoever to do with this treaty. None of these things are relevant to or are embedded in the treaty.

What we are seeing here is an action by some narrow special interest groups to advance their intentions by making utterly unfounded claims about the disability treaty.

So, again, this is rhetoric we should not be listening to. We should listen to the voices of the better angels of our nature. This is an important convention, an important treaty.

Even as recently as this morning I heard that in the Foreign Relations Committee someone raised the issue of sovereignty. Well, we passed a lot of treaties here in the past—lots of treaties over the lifetime of our Nation. Are we less sovereign today than we were 10 years ago? Are we less sovereign than we were 30, 50, 100 years ago? I would have to have someone prove to me how we have lost our sovereignty. We haven't—not at all. And in every treaty that we have signed in the past, there is always a clause in the reservations, understandings, and declarations that attaches to the resolution we pass here on the treaty. There is always one clause that is attached and I will read it to my colleagues. It says:

> Supremacy of Constitution. Nothing in the Convention requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States, as interpreted by the United States.

That is it. That goes on every treaty we sign. It says, look, we are signing the treaty, but our Constitution is supreme.

Continuing:

> Nothing in this treaty requires or authorizes any action by the United States prohibited by the Constitution as interpreted by the United States of America.

Who interprets the Constitution? The Supreme Court. But then we can always pass amendments and change it—by the United States of America.

So we have offered that this is the same language we ought to attach to this convention—the Convention on the Rights of Persons with Disabilities.

Someone said: We don't know what the United Nations is going to do in the future. We don't know how they might want to change it.

It makes no difference. It makes no difference what the U.N. does in the future. Our Constitution is still supreme, and this is the clause we put on there to say so. We do it on every treaty.

We just passed a treaty here in 1999 that I was involved in—a treaty on the convention on the worst forms of child labor. It has that clause in it. We didn't give up any of our sovereignty by agreeing to that convention on child labor, and we won't give up any of our sovereignty here. So for anyone who is saying they are concerned about our sovereignty on this convention, we can put that clause in, as we have with every other treaty.

There are some Senators here who were here when we passed that treaty in 1999, and they didn't say anything about sovereignty or that they were concerned about sovereignty. But now some are saying they are concerned about sovereignty when it deals with people with disabilities. Why? Why? Why?

In 1999 we passed a convention dealing with the worst forms of child labor—a good treaty, by the way. No one here raised the issue of sovereignty. Today—what, 15 years later—we have a Convention on the Rights of Persons with Disabilities, and a number of people say: Oh, no, we are worried about sovereignty.

Someone please explain this to me. It is not about sovereignty. Anyone who is hiding behind that issue does not want to vote for this treaty for some other reason, but it cannot be the reason of sovereignty.

Now, again, we have to look a little bit at the history of this treaty. The drafters of the convention modeled it after the Americans with Disabilities Act. In fact, if you read it, and you look at the ADA, we informed the United Nations—and I talked to people who have been involved in this in the U.N.—we, our laws, informed the U.N. as to what they ought to do in drafting this convention. Why shouldn't we then be a part of it, take the expertise we have and apply it globally?

So it was drafted. It was sent out to the nations for their adoption. It was sent to our President. Under our system, the President sends this proposed treaty out to all of the Departments of the executive branch, including the Office of Management and Budget to see what budget impact it will have, and their charge is to see what laws do we have to change in order to comply with this treaty or what budget impact does it have.

Well, it takes about a year to get this through all the Departments and agencies. But then, when it came back to the President, guess what: We do not have to change one law—not one—to conform to this treaty because the treaty is based on, basically, the Americans with Disabilities Act. So we do not have to change any laws. And, secondly, there is no budget impact.

So then the President sent it down to the Senate for ratification under our Constitution. Then Senator Kerry, who was the chair of the Foreign Relations Committee, had hearings. In fact, the two leadoff witnesses were Senator JOHN MCCAIN and me. Well, then there were other witnesses from the business community, from the disability community—from all over.

The treaty was reported out of the committee, I believe, in July of 2012. We were not able to get it on the floor until December 2012. Thirty-eight Republican Senators had signed a letter saying we should not vote on a treaty—on a treaty—in a lameduck session. Then there were some other things that came up about home schooling and stuff like that.

To make a long story short, when we brought it on the floor, and we thought we had the votes, we fell six votes short. We had 61 votes. We needed 67. We fell six votes short. A lot of Senators told me at that time we should not be voting on this in a lameduck session. In fact, if you check the RECORD, you will see remarks made by a lot of Members on the Republican side saying we should not vote on this in a lameduck session.

Well, OK. That Congress dies. We now have a new Congress starting in 2013. Then Chairman Kerry becomes Secretary of State and our new chairman is Senator BOB MENENDEZ of New Jersey. So we started working to bring it back. Now again, it all has to come right back from the White House. It has to go back through the hurdles. It has to go back to the committee.

I talked a couple times with the ranking member of the Foreign Relations Committee, and he wanted to have some more hearings. So I talked to Senator MENENDEZ about it. Senator MENENDEZ agreed, and he held more hearings on it in this Congress—in this Congress—and a lot of voices were heard. A lot of people testified on it.

Then it has to work its way through the committee. The committee has been very busy on a lot of things, but Senator MENENDEZ never gave up, and so this morning, as I stated earlier, the Senate Foreign Relations Committee reported out the treaty. I am so grateful to Senator MENENDEZ for not giving up, for being dogged in providing that kind of leadership to get this treaty through. So now it is ready for us to bring up here.

Well, guess what. We are not in a lameduck session, so that excuse has gone by the wayside. And we have answered, I believe, the questions on sovereignty and other issues. Now we have to look at who supports this.

Well, I know some people were kind of nervous about the treaty and voting for it because they were concerned, quite frankly, for their political life. I guess some people in the tea party were making this sort of a litmus test, which I thought was kind of interesting. Why? Why this, of all things?

So what we did was we wanted to see how broad the support was out there. It is immense. The support for this treaty cuts across all lines. The U.S. Chamber of Commerce—Tom Donohue—are strong supporters of it,

wrote a very strong letter and has been contacting Senators about the Chamber of Commerce's support for this treaty.

I spoke a couple months ago with former Governor John Engler, who is now the head of the Business Roundtable, and informed him about it. He said they would look at it, they would consider it. He took it to his Business Roundtable about a little over a month ago, I believe, if I am not mistaken, and the Business Roundtable wrote a very strong letter of support.

So two of the leading business groups in America are supporting this strongly. Every veterans group supports it. The American Legion, the VFW, the PVA—you name it—the Iraq and Afghanistan war veterans all support this. Every major religious group supports it. All the disability groups support it.

So what are we afraid of? Some people say, well, they are concerned about this sovereignty issue again. Are you telling me that former President George H.W. Bush is not concerned about our sovereignty? Are you telling me that former President George W. Bush is not concerned about our sovereignty? Are you trying to tell me that the Chamber of Commerce and the Business Roundtable are not concerned about our sovereignty or that Tom Ridge, former Governor of Pennsylvania, the first Director of Homeland Security, who strongly supports this treaty—are you telling me he does not care about our sovereignty?

Are there just a few people on this side of the aisle who know what sovereignty means? Of course not. Former President George H.W. Bush, former President George W. Bush, former Attorney General Dick Thornburgh, Boyden Gray, former counsel of the President—Steve Bartlett, former Congressman, a Republican from Dallas, a mayor of Dallas, came back and ran the Financial Services Roundtable, is a strong supporter—strong supporter—of this. Are you telling me Steve does not care about our sovereignty? I would like you to tell Steve that. He cares very much about our sovereignty. That is why it is a phony issue—a fraudulent phony issue.

We have it within our power now to join the rest of the world. I think 148 nations—148 countries—have now signed this.

I was recently in China, and I was meeting with disability groups there. China signed the convention. I met with some disability groups that are not governmental, NGOs, which is interesting. This is now springing up in China.

I also met with a person who is the head of the federation of disability groups in China. Madam Zhang, Haidi Zhang, is a very prominent woman in China, known all over the country because she is a famous author. She now heads this federation. They all told me they want the United States to be a part of this because it would strengthen them in working to change in their country, to make their country better and more supportive of disability rights.

I questioned that because some people said to me here: Well, we do not need to join this treaty. We can work with countries one-on-one. You are going to work with 100 countries one-on-one? I do not think we have the personnel to do that.

But here is what someone said to me who brought it home to me. They said: Look, if you come to our country and you want to discuss disability policy from the standpoint of your laws—the Americans with Disabilities Act—and we are a part of the CRPD, then we are talking two different languages. But if you are a part of the Convention on the Rights of Persons with Disabilities, we speak the same language. Then we can start talking about how we work together to enhance the rights and opportunities of people with disabilities, not just in China but in Africa.

Earlier this year, 21 countries met in Malawi on this issue. I was asked to come to speak. I could not because I was here in the Senate. They desperately want the Americans—us—to be a part of this, to lend our expertise, our leadership—not as a single country but with other countries—to, again, advance the cause of the rights of people with disabilities in accommodations, accessibility.

This spring I was in Colombia—Cartagena—on a trip with other Senators, Congressmen, and I remember our colleague Senator JOHNSON from South Dakota and his wife were there. I remember Mrs. Johnson—Barbara—saying: Boy, I can't wait to get back to the United States because it is hard for Tim using his wheelchair to get around anywhere.

This is what I mean. We have to start working with these other countries to help them change their systems, their accessibility.

I have talked to many veterans who would like to travel with their families or maybe even work overseas. They cannot do it. They are not accessible. I have talked to students who got a Fulbright scholarship or one of those things to go to another country, but since they were disabled, they could not take advantage of it because there were not accessible places for them to live or to get around.

So if we are proud—and we should be—proud of the work we have done as a nation, bipartisanly—there has never been a partisan hint to anything we have ever done with disability policy in this country. So if we are proud of what we have done in this country to enhance the well-being of people with disabilities, to make sure they have a full and meaningful life, that they contribute to the best of their ability, to get them out of institutions, living in the community, working in jobs—not subminimum-wage, dead-end jobs, but I mean real jobs; and we have come a long way—so if we are proud of it, why shouldn't we be proud enough to join with the rest of the world in saying: Let's work together. Let's work together to provide in other countries that same kind of support and accessibility for people with disabilities?

It is not going to happen overnight. I understand that. Sometimes these things take a long time. This weekend will be the 24th anniversary of the signing of the Americans with Disabilities Act.

As I travel around, one thing that always catches my eye—when I see new buildings, new housing, and stuff—is it accessible? I just saw some this weekend—new housing, multifamily housing—not accessible. Well, someone said to me: Well, you know, maybe people with disabilities can't live here, but there are plenty of other places. I said: Well, that is not the point. What if I want to live there and I want to invite my nephew who is a paraplegic to come visit me and have dinner? He can't even get in the door. Oh, well, that kind of puts a different color on it. I cannot even associate with people with disabilities because they cannot even come over to my house.

So while we have come a long way, we have things we have to do. But we have to, again, be a part of this global effort to advance the cause of people with disabilities. Other countries are starting to catch on. They are starting to do things—some countries more than others. This treaty, and our joining it, means that we join with them in common effort—in common effort—to make sure people with disabilities are not shunted aside any longer.

I think it is beneath us as Senators, beneath us as a nation, to somehow not accede to this treaty because of phony issues such as sovereignty.

We can take care of that, as we have in other treaties. Or homeschooling or abortion. We can take care of that. We can say our laws are supreme. If someone says, ''Well, the U.N. might change it in the future,'' so what? It does not make any difference what they change. It does not affect our sovereignty whatsoever. So I think it is beneath us if we do not adopt this treaty, if we do not become a part of this global effort.

Ronald Reagan referred to America as the ''shining city on a hill.'' Well, I think it is. Nowhere is America more of a shining city on a hill than in how we treat our citizens with disabilities. We have the gold standard. Now it is time to empower us to work throughout the world, to assist countries as they implement the treaty founded on the rights and principles embedded in the Americans with Disabilities Act.

It is time for us to reassert our global leadership in disability policy. So let's rise above partnership. Let's rise above some unknown fear that something might happen in the future. Let's rise above those narrow interests that say ''Well, we will lose our sovereignty'' or something like that or all of those other phony issues that are coming up because they want to undermine the treaty. We can rise above

that, just as we have done many times in the past, just as we did in 1999 when we became a part of a convention on the worst forms of child labor. We put reservations and we put understandings and declarations in that convention, by the way. So we spelled out how we were adapting that to our own Nation. We can do the same with this one too.

I have been told—I do not know if this is true—I have been told that some say: Well, it does not make any difference what we put in there; there are some people who will not vote for it, period.

Well, are those the same people who would not vote for the Americans With Disabilities Act if we were to bring it to the floor today? Would they say: No, we should not change our policies that people with disabilities had to be institutionalized; that they do not deserve to work in the workplace; that they do not deserve the freedom to travel on buses that are accessible and trains that are accessible or subways that are accessible; that we do not need curb cuts and we do not need widened doors. No, we do not need to do any of that stuff.

Would that be what they would say today if the Americans with Disabilities Act were on the floor? Any Senator who says: I like the Americans with Disabilities Act, and I think it has done a good thing for our country—anyone who says that ought to be voting for this treaty. That is what we intend. That is what we would do—reject that kind of fear and be a part of this global effort.

Again, I commend Senator MENENDEZ for his great leadership on this issue. I am hopeful that before we leave here next week, we might reach a time agreement with the other side to have a meaningful debate, have amendments. There is nothing wrong with having some amendments on this if people have amendments that are germane to the treaty. Let's debate those in a timely fashion and then have a vote on it. We need to do this. We need to do this to reassert America's leadership worldwide on disability policy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, before I speak on a different topic, let me acknowledge my colleague and friend from Iowa and thank him for a lifetime of service in the House of Representatives and the Senate. He has announced his retirement at the end of this year. That is a loss for our great institution and for our country.

TOM HARKIN, more than any other Senator today, as much as any other Senator, has been a clarion voice for the disabled across generations and across country borders for decades. He has changed America and he has changed the world. There are not many people who serve in this Chamber who can say that. But when he joined with Bob Dole, a Republican World War II disabled veteran from Kansas—when this Democratic Senator from Iowa, a Navy veteran himself, joined with Bob Dole and passed the Americans with Disabilities Act, it held America to a higher standard. It guaranteed that our values we express so often would be values we live by.

Now he is calling on us to join a family of nations that have admired our leadership in disability rights and wonder why we have not approved this basic treaty or convention on disabilities. I was honored today to vote for that in the Foreign Relations Committee again. We had bipartisan support. We are going to continue to strive for it.

I thank the Senator for his unmatched contribution when it comes to speaking out for the disabled across America and around the world.

THE TAX CODE

Dickens wrote ''A Tale of Two Cities.'' I come to the Senate floor this evening to tell a tale of two Illinois corporations. One of them is a corporation which I visited recently called Wheatland Tube in Chicago. It is a division of JMC Steel. It employs about 2,000 people nationwide, 600 in Chicago, which I represent. JMC Steel is a good company. It is more than good; it is a great company. The average starting wage at Wheatland is $15 an hour. The company offers generous health care benefits with low deductibles. It offers various retirement benefits. Newer employees get a 401(k) with a company match up to 6 percent.

I tell this story because I want to salute a company that takes its mission seriously and treats its employees fairly. I believe a company such as JMC Steel and Wheatland should be encouraged and rewarded when it comes to our Tax Code and our laws.

We are hearing a lot from our Supreme Court across the street. They have come up with a new theory about businesses and corporations in America. Time and again they have told us that they now view corporations to be virtual flesh-and-blood citizens entitled to constitutional rights. They decided corporations have freedom of speech under the Bill of Rights and that corporations could spend unlimited amounts of money in an effort to elect or defeat candidates. They even went so far to say closely held corporations had religious freedoms that needed protection to the point where the owner of a closely held for-profit corporation could determine the contraception and birth control programs available to the employees of that company under their health insurance plans.

So we are told over and over by this Supreme Court that we should view corporations in a human context. Well, I am going to stick with that chain of thought for a moment and talk about another company that is much different from Wheatland Tube, which I have just described. It is a company known as AbbVie. That is the new name; it used to be known as Abbott Labs. It is roughly the eighth largest pharmaceutical company in America. It is headquartered in Illinois, in the city of North Chicago. AbbVie recently made the news because its board of directors sat down and made a decision about the future of this company.

First, let me tell you a little bit about AbbVie as a pharmaceutical company. AbbVie is a company which, like virtually every other pharmaceutical company, relies a great deal on our Federal Government. The National Institutes of Health—the leading biomedical research agency in the world—does basic research that our pharmaceutical companies use to develop new drugs and products. We pray that they will. When they find these drugs and products, pharmaceutical companies such as AbbVie go to the patent office run by our Federal Government to protect their property rights in their discoveries and their drugs. When they turn around to sell these drugs in America, after approval by a Federal agency, the Food and Drug Administration, they by and large sell them to programs such as Medicare and Medicaid—government-supported insurance programs.

The reason I tell this background is that AbbVie recently made a decision that they were going to renounce their American corporate citizenship and, in fact, at least on paper, move their corporate headquarters to an island off Ireland. Why would a great American corporation, the eighth largest pharmaceutical company, want to pick up and move to an island off Ireland? To avoid paying U.S. taxes. To avoid paying U.S. taxes, AbbVie is engaging in something known as inversion—in other words, relocating their corporate headquarter offices and declaring themselves to no longer be an American corporation. Does it not strike you as strange that a company that makes billions of dollars in profit based on America and the strength of our own system of government now is deserting America?

This inversion is not unique to AbbVie. We estimate that 50 or 60 corporations are doing the same. I think it is time for us as Members of Congress to put an end to this. These companies that are deserting America and heading overseas to avoid paying U.S. taxes have to be stopped.

Allan Sloan, whom I have heard a lot on radio and other places, is a writer for Fortune magazine. On July 7 he published an article in Fortune magazine entitled ''Positively un-American tax dodges.''

I ask unanimous consent that this article be printed in the RECORD after my remarks.

Let me quote one paragraph from Allan Sloan about these ''Positively un-American tax dodges,'' such as the inversion planned by AbbVie of North Chicago. Here is what Sloan writes:

Inverters don't hesitate to take advantage of the great things that make America

America: our deep financial markets, our democracy and rule of law, our military might, our intellectual and physical infrastructure, our national research programs, all the terrific places our country offers for employees and their families to live. But inverters do hesitate—totally—when it's time to ante up their fair share of financial support for our system.

Exhibit A: AbbVie, a company that has been profitable and made billions of dollars in America, now wants to lessen its American tax bill by moving overseas—on paper.

I think this has to come to an end. I think that when we sit down and make decisions about a tax code and tax policy, we need to be rewarding companies such as Wheatland Tube. Wheatland Tube, with 600 employees in Chicago, is an American corporation and proud of it. They are not planning on moving overseas. They are not trying to cut corners when it comes to their employees. They are treating them fairly. They are getting a good work product for it.

What I propose is called a patriot employer's tax. If you have a corporation that is, in my view, patriotic, with its headquarters in America, that has not moved employees overseas, that pays its employees at least $15 an hour—why did I pick $15? Because at $15 an hour, most American workers would not qualify for government benefits.

Perhaps the WIC program is one exception, but the only one I can think of. But these are employees who are paid enough in the workplace that they don't qualify for food stamps to supplement their income. So we chose $15 an hour. We said if the company goes on to provide good health insurance, a good retirement plan, where the employer contributes at least 5 percent of an employee's income toward retirement, and the company will give a preference to hiring veterans, I think that company is entitled to a patriot employer tax credit. Wheatland Tube isn't the only company in Illinois that would qualify nor the only company in this country.

So should we be bending our Tax Code today so AbbVie and the other corporate deserters get a break by moving overseas or should we be changing our Tax Code to encourage good companies, such as Wheatland Tube, to stay in America, to pay a fair wage, to make a good product and make us proud. It seems a pretty simple choice as far as I am concerned. We are going to start debating that on the floor of the Senate this week—at least we are going to try.

There is going to be a bill coming before us that has been offered by Senator JOHN WALSH of Montana and Senator DEBBIE STABENOW of Michigan called the Bring Jobs Home Act. It is a variation on the theme that I just spoke of, but the bottom line is the same—to create Tax Code incentives for companies to bring jobs back into the United States. I can't think of a higher priority than to create and keep good-paying jobs in America.

We are going to vote on moving forward on this bill, creating an incentive to bring jobs home.

Here is what it will do. If a company moves a production line, trade or business outside of the United States back into the United States, it is eligible for a tax credit under the Walsh-Stabenow bill—a credit for the cost of moving the jobs back home.

To pay for it, companies that ship jobs overseas—jobs going in the wrong direction—will no longer be allowed to deduct the costs associated with outsourcing U.S. jobs from their tax bill.

Why would we want to incentivize a company to ship American jobs overseas? Why would we want to create a deduction to make it easier and cheaper to do that? It defies common sense.

The Walsh-Stabenow bill reverses it and says we will no longer incentivize shipping jobs overseas; we are going to incentivize shipping jobs home from overseas. It is pretty simple.

I would like to take that basic question to any town meeting in any town in my State and ask the folks sitting there whether they think that makes sense. I am very confident they will agree that it does. This is a commonsense approach to reward companies that are doing the right thing and eliminate tax breaks for companies that are doing the wrong thing.

The patriot employer tax credit I hope I can offer as an amendment. I want to give a break to those companies that pay a good wage, keep the jobs in the United States, and don't ship their headquarters overseas. I think they deserve an incentive to stay.

I guess I am old-fashioned, but a lot of Americans are old-fashioned the same way.

I like walking into the store and seeing products that say ''Made in the U.S.A.'' Sure, I buy things made overseas. It is hard to avoid them. And I don't consciously avoid them. But given a choice, I would love to see the ''Made in the U.S.A.'' label on these products so I have a choice to make this country stronger. That is what the Walsh-Stabenow bill does. That is what the Patriot Employer Tax Credit Act does. And that is what we need to do when it comes to these inversions.

There was an article that was printed in Fortune magazine after Allan Sloan's article on July 15 the following week. It quoted a man whom I have come to know and once worked with in Chicago. His name is Jamie Dimon. Jamie Dimon is the CEO of JPMorgan Chase.

It turns out JPMorgan Chase is the investment adviser to AbbVie, the company I mentioned earlier. They have been advising them about moving overseas to avoid tax liability.

Mr. Dimon, in this Fortune magazine piece said: '' . . . it was inappropriate for anyone to moralize against deals in which U.S. companies seek lower tax rates through mergers.''

And then he went on to say ''an inversion.'' He characterized moving your corporate headquarters overseas to avoid taxes as basically saying it is an acknowledgment how bad our Tax Code is today. It is a way of protesting what the Tax Code is doing to corporations.

Our Tax Code today has resulted in the highest corporate profits in history. Our Tax Code today has resulted in paychecks for Mr. Dimon and other CEOs unparalleled in the history of the world. For Mr. Dimon and the corporate CEOs to argue about this unfair Tax Code as a reason or rationale for picking up and deserting America doesn't square with the reality of corporate compensation or corporate profits.

Some people critical of what I have spoken to today will say: Well, now, don't go picking winners and losers in the Tax Code.

I have news for you. The Tax Code is all about picking winners and losers. Sadly, the losers too many times are working families in this country and the winners are the people in higher-income categories and the largest corporations.

Look at what the Tax Code incentivizes. It incentivizes drilling for oil, building wind turbines. It incentivizes holding stock for a longer period rather than a shorter period. It incentivizes saving for your retirement. It incentivizes buying health insurance. The Tax Code is full of incentives.

So let's rewrite that Tax Code. Let's create an incentive to keep jobs in America. Let's create an incentive to make sure that companies which pay a fair wage and make sure their operations are good for working people get a tax break, and let's disincentivize the effort to move American jobs overseas and to move American corporate offices overseas.

That to me is a Tax Code with the right incentives for building not only a strong American economy with good-paying jobs here at home but building our middle class and our working Americans into a strong entity, a strong force for progress and economic growth.

I ask unanimous consent to have printed in the RECORD the articles I referred to earlier.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From @FortuneMagazine, July 7, 2014]

POSITIVELY UN-AMERICAN TAX DODGES

(By Allan Sloan)

Bigtime companies are moving their ''headquarters'' overseas to dodge billions in taxes . . . that means the rest of us pay their share.

Ah, July! What a great month for those of us who celebrate American exceptionalism. There's the lead-up to the Fourth, countrywide Independence Day celebrations including my town's local Revolutionary War reenactment and fireworks, the enjoyable days of high summer, and, for the fortunate, the prospect of some time at the beach.

Sorry, but this year, July isn't going to work for me. That's because of a new kind of

American corporate exceptionalism: companies that have decided to desert our country to avoid paying taxes but expect to keep receiving the full array of benefits that being American confers, and that everyone else is paying for.

Yes, leaving the country—a process that tax techies call inversion—is perfectly legal. A company does this by reincorporating in a place like Ireland, where the corporate tax rate is 12.5%, compared with 35% in the U.S. Inversion also makes it easier to divert what would normally be U.S. earnings to foreign, lower-tax locales. But being legal isn't the same as being right. If a few companies invert, it's irritating but no big deal for our society. But mass inversion is a whole other thing, and that's where we're heading.

We've also got a second, related problem, which I call the ''never-heres.'' They include formerly private companies like Accenture, a consulting firm that was spun off from Arthur Andersen, and disc-drive maker Seagate, which began as a U.S. company, went private in a 2000 buyout and was moved to the Cayman Islands, went public in 2002, then moved to Ireland from the Caymans in 2010. Firms like these can duck lots of U.S. taxes without being accused of having deserted our country because technically they were never here. So far, by Fortune's count, some 60 U.S. companies have chosen the never-here or the inversion route, and others are lining up to leave.

All of this threatens to undermine our tax base, with projected losses in the billions. It also threatens to undermine the American public's already shrinking respect for big corporations.

Inverters, of course, have a different view of things. It goes something like this: The U.S. tax rate is too high, and uncompetitive. Unlike many other countries, the U.S. taxes all profits worldwide, not just those earned here. A domicile abroad can offer a more competitive corporate tax rate. Fiduciary duty to shareholders requires that companies maximize returns.

My answer: Fight to fix the tax code, but don't desert the country. And I define ''fiduciary duty'' as the obligation to produce the best long-term results for shareholders, not ''get the stock price up today.'' Undermining the finances of the federal government by inverting helps undermine our economy. And that's a bad thing, in the long run, for companies that do business in America.

Finally, there's reputational risk. I wouldn't be surprised to see someone in Washington call public hearings and ask CEOs of inverters and would-be inverters why they think it's okay for them to remain U.S. citizens while their companies renounce citizenship. Imagine the reaction! And the punitive legislation it could spark.

WATCH: INVERSION: HOW SOME MAJOR U.S. COMPANIES ARE DODGING TAXES

Fortune contacted every company on our list of tax avoiders and asked why they incorporated overseas. Four of them—Carnival, Garmin, Invesco, and XL—said they were never U.S. companies. In other words, they are never-heres. Five more—Actavis, Allegion, Eaton, Ingersoll Rand, and Perrigo—said they inverted mainly for strategic purposes. The tenth, Nabors, refused to respond to our multiple requests.

Companies that have gone the inversion or never-here route but that act American include household names like Garmin, Michael Kors, Carnival, and Nielsen. Pfizer the giant pharmaceutical company, tried to invert this spring, but the deal fell through. Medtronic, the big medical-device company, is trying to invert, of which more later. Walgreen is talking about inverting too—it's easier to boost earnings by playing tax games than by fixing the way you run your stores.

Then there's the ''Can you believe this?'' factor. Carnival, a Panama-based company with headquarters in Miami, was happy to have the U.S. Coast Guard, for which it doesn't pay its fair share, help rescue its burning Carnival Triumph. (It later reimbursed Uncle Sam.) Alexander Cutler, chief executive of Eaton, a Cleveland company that he inverted to Ireland, told the City Club of Cleveland, without a trace of irony, that to fix our nation's budget problems, we need to close ''those loopholes in the tax system.'' Inversions, I guess, aren't loopholes.

Before we proceed, a brief confessional rant: The spectacle of American corporations deserting our country to dodge taxes while expecting to get the same benefits that good corporate citizens get makes me deeply angry. It's the same way that I felt when idiots and incompetents in Washington brought us to the brink of defaulting on our national debt in the summer of 2011, the last time that I wrote anything angry at remotely this length. (See ''American Idiots.'') Except that this is worse.

Inverters don't hesitate to take advantage of the great things that make America America: our deep financial markets, our democracy and rule of law, our military might, our intellectual and physical infrastructure, our national research programs, all the terrific places our country offers for employees and their families to live. But inverters do hesitate—totally—when it's time to ante up their fair share of financial support of our system.

Inverting a company, which is done in the name of ''shareholder value''—a euphemism for a higher stock price—is way more offensive to me than even the most disgusting (albeit not illegal) tax games that companies like Apple and GE play to siphon earnings out of the U.S. At least those companies remain American. It may be for technical reasons that I won't bore you with—but I don't care. What matters is the result. Apple and GE remain American. Inverters are deserters.

Even though I understand inversion intellectually, I have trouble dealing with it emotionally. Maybe it's because of my background: I'm the grandson of immigrants, and I'm profoundly grateful that this country took my family in. Watching companies walk out just to cut their taxes turns my stomach.

Okay, rant over.

The current poster child for inversion outrage is Medtronic Inc., the multinational Minnesota medical-device company that once exuded a cleaner-than-clean image but now proposes to move its nominal headquarters to Ireland by paying a fat premium price to purchase Covidien, itself a faux-Irish firm that is run from Massachusetts except for income-taxpaying purposes. For that, it's based in Dublin. That's where the new Medtronic PLC would be based, while its real headquarters would remain on Medtronic Parkway in Minneapolis. Of course, the company is unlikely to return any of the $484 million worth of contracts the federal government says it has awarded Medtronic over the past five years.

If the Medtronic deal goes through, which seems likely, it will open the floodgates. Congress could close them, as we'll see—but that would require our representatives and senators to get their act together. Good luck with that.

Now let's have a look at some of the more interesting aspects of the proposed Medtronic-Covidien marriage. I'm not trying to pick on Medtronic—but its decision to become the biggest company to invert makes it fair journalistic game.

Medtronic is one of those U.S. companies with a ton of cash offshore: something like $14 billion. That's money on which U.S. income tax hasn't been paid. Medtronic told me it would have to pay $3.5 billion to $4.2 billion to the IRS if it brought that money into the U.S.: That's the difference between the 35% U.S. tax rate and the 5% to 10% it has paid to other countries. Among other things, inverting would let Medtronic PLC use offshore cash to pay dividends without subjecting the money to U.S. corporate tax.

I especially love a little-noticed multimillion-dollar goody that Medtronic is giving its board members and top executives. Years ago, in order to discourage inversions, Congress imposed a 15% excise tax on the value of options and restricted stock owned by top officers and board members of inverting companies. Guess what? Medtronic says it's going to give the affected people enough money to pay the tax.

We're talking major money—major money that I'm glad to say isn't tax-deductible to Medtronic. The company wouldn't tell me how much this would cost its stockholders. So I did my own back-of-the-envelope math, starting with chief executive Omar Ishrak. Using numbers from Medtronic's 2014 proxy statement and adjusting for its stock price when I was writing this, I figure that his options and restricted shares are worth at least $40 million, and the ''equity incentive plan awards'' that he might get are worth another $23 million. Allow for the fact that Medtronic will ''gross up'' Ishrak et al. by giving them enough money to cover both the excise tax and the tax due on their excise tax subsidy, and you end up with $7.1 million to $11.2 million just for Ishrak. And something more than $60 million for Medtronic as a whole.

Why does Medtronic feel the need to shell out this money? The company's answer: ''Medtronic has agreed to indemnify directors and executive officers for such excise tax because they should not be discouraged from taking actions that they believe are in the best interests of Medtronic and its shareholders.''

But you know what, folks? These people are fiduciaries, who are legally required to put shareholders' interests ahead of their own. If they believe that inverting is the right thing to do (which, it should be obvious by now, I don't) they ought to pay any expenses they incur out of their own pockets, not the shareholders'. It's not as if these people lack the means to pay—the directors get $220,000 a year (and up) in cash and stock for a part-time job, and Ishrak gets a typical hefty CEO package.

One more thing: Normally, a company's shareholders don't have to pay capital gains tax if their firm makes an acquisition. But because this is an inversion, Medtronic shareholders will be treated as if they've sold their shares and will owe taxes on their gains. However, the deal won't give them any cash with which to pay the tab.

The company asked me to mention that its executives and directors, like other holders, will be subject to gains tax on shares that they own outright, and Medtronic won't compensate them for it. Okay. Consider it mentioned.

Second, the company contends that this deal will be so good for shareholders that it will more than offset their tax cost triggered by the board's decision to invert. Well, we'll see.

A major barrier to inversion used to be that companies moving offshore were kicked out of the Standard & Poor's 500 index. Given that more than 10% (by my estimate) of the S&P 500 stocks are owned by indexers, getting tossed out of the index—or being added to it—makes a big, short-term difference in share price. In 2008 and 2009, S&P, which has a few never-heres, tossed nine companies off

the 500 for inverting. But four years ago, S&P changed course, for business reasons. Companies were angry at being excluded, and index investors wanted to own some of the excluded companies. Moreover, S&P feared that a competitor would set up a more inclusive, rival index.

So in June 2010, S&P changed its definition of American. Now all it takes to be in the S&P 500 is to trade on a U.S. market, be considered a U.S. filer by the Securities and Exchange Commission, and have a plurality of business and/or assets in the U.S.

The result: S&P now has 28 non-American companies in the 500.

How much money are we talking about inverters sucking out of the U.S. Treasury? There's no number available for the tax revenue losses caused by inverters and neverheres so far. But it's clearly in the billions. Congress's Joint Committee on Taxation projects that failing to limit inversions will cost the Treasury an additional $19.5 billion over 10 years—a number that seems way low, given the looming stampede. But even $19.5 billion—$2 billion a year—is a lot, if you look at it the right way. It's enough to cover what Uncle Sam spends on programs to help homeless veterans and to conduct research to create better prosthetic arms and legs for our wounded warriors.

Rep. Sandy Levin (D–Mich.) and his brother, Sen. Carl Levin (D–Mich.), have introduced legislation that would stop Medtronic in its tracks by making inversions harder. Under current law, adopted in 2004 as an inversion stopper, a U.S. company can invert only if it is doing significant business in its new domicile and shareholders of the foreign company it buys to do the inversion own at least 20% of the combined firm.

The Levins propose to require that foreign-firm shareholders own at least 50% of the combined company for it to be able to invert and also that the company's management change. This would really slow down inversions—but the chances of Congress passing the Levin legislation are somewhere between slim and none.

Conventional wisdom holds that companies are inverting now because they've despaired of getting clean-cut reform that would widen the tax base and lower rates. But John Buckley, former chief Democratic tax counsel for the House Ways and Means Committee, has a different view. Buckley thinks that we're seeing an inversion wave not because there's no prospect of tax reform but because there is a prospect of reform. If reform comes, he says, there will be winners and losers—and it's the likely losers-to-be that are inverting. ''Even minimal tax reform would hurt a lot of these companies badly,'' he says.

For example, Buckley says, a company that inverts before reform takes effect will be able to suck income out of the U.S. to lower-tax locales much more easily than if it were still a U.S. company. ''A revenue-neutral tax reform requires there to be winners and losers,'' Buckley says. ''But by inverting, the companies that would be losers are taking themselves out of the equation . . . They're taking advantage of both U.S. individual taxpayers and other corporations.''

If you're a typical CEO who has read this far, about now you're shaking your head and thinking, ''What a jerk! Just cut my tax rate and I'll stay.'' To which I say, ''I wouldn't bet on it.'' In the widely hailed 1986 tax reform act, Congress cut the corporate rate to 34% (now 35%) from 46%, and closed some loopholes. Corporate America was happy—for awhile. Now, with Ireland at 12.5% and Britain at 20% (or less, if you make a deal), 35% is intolerable. Let's say we cut the rate to 25%, the wished-for number I hear bandied about. Other countries are lower, and could go lower still in order to lure our companies. Is Corporate America willing to pay any corporate rate above zero? I wonder.

So what do we need? I'll offer you a bipartisan solution—no, I'm not kidding. For starters, we need to tighten inversion rules as proposed by Sandy and Carl Levin, who are both bigtime Democrats. That would buy time to erect a more rational corporate tax structure than we have now—bolstered, I hope, by input from tough-minded tax techies.

We also need loophole tighteners along the lines of proposals in the Republican-sponsored, dead-on-arrival Tax Reform Act of 2014. One part would have imposed a tax of 8.75% a year on cash and cash equivalents held offshore, and 3.5% a year on other retained offshore earnings.

Another thing we need to do—which the SEC or the Financial Accounting Standards Board could do in a heartbeat, but won't—is require publicly traded U.S. companies and U.S. subsidiaries of publicly traded foreign companies to disclose two numbers from the tax returns they file with the IRS: their U.S. taxable income for a given year, and how much income tax they owed. This would take perhaps one person-hour a year per company.

That way we would know what firms actually pay instead of having to guess at it. Then we could compare and contrast companies' income tax payments.

What we don't need is another one-time ''tax holiday,'' like the one being proposed by Sen. Harry Reid (D–Nev.), to let companies pay 9.5% rather than 35% to bring earnings held offshore into the U.S. It would be the second time in a decade we've done that, and would signal tax avoiders that they should keep sending tons of money offshore, then wait for a tax holiday—presumably not on the Fourth of July—to bring it back.

Until—and unless—we somehow get our act together on corporate tax reform, companies will keep leaving our country. Those that try to do the right thing and act like good American corporate citizens will come under increasing pressure to invert, if only to fend off possible attacks by corporate pirates—I'm sorry, ''activist investors''—who see inversion as a way to get a quick uptick in their targets' stock price.

Now, two brief rays of sunshine: one in England, one here.

Starbucks, embarrassed by a 2012 Reuters exposé showing that it paid little or no taxes in England despite telling shareholders it made big profits there, has recently apologized and now makes substantial British tax payments. And eBay, God bless it, decided to bring $9 billion of offshore cash into the U.S. and pay taxes on it.

So I'm feeling a bit better about July than when I started writing this. In any event, a happy summer to you and yours.

JAMIE DIMON: COMPANIES SHOULD FEEL FREE TO BAIL ON THE U.S.

(By Stephen Gandel)

The JPMorgan CEO gave a thumbs up to inversions, the growing practice where American companies buy smaller foreign companies to relocate overseas and avoid paying U.S. taxes.

JPMorgan Chase CEO Jamie Dimon says he's okay with companies using a hot tax dodge that could cost the U.S. tens of billions of dollars over the decade.

Dimon's public thumbs up for inversions—the growing practice where American companies buy smaller foreign companies to relocate overseas and avoid paying U.S. taxes—came in response to a question from Fortune on a media conference call after JPMorgan JPM 0.74% released its second quarter results. He said the real problem was the tax code, not CEOs trying to shirk their responsibilities.

''You want the choice to be able to go to Wal-Mart to get the lowest prices,'' Dimon said on a conference call with reporters on Tuesday morning. ''Companies should be able to make that choice as well.''

Dimon did not elaborate on the difference between choosing where to buy your underwear and where a corporation calls home. In a recent cover story for Fortune, Allan Sloan argued that U.S. companies are ''positively unpatriotic'' when they move their corporate headquarters overseas to pay lower taxes because of the benefits they receive by being (except for tax purposes) American companies. What's more, Sloan argued undermining the U.S. tax base will be bad for all shareholders in the long run.

Dimon seemed to brush aside those concerns. He said it was inappropriate for anyone to moralize against deals in which U.S. companies seek lower tax rates through mergers. No large U.S. bank has proposed an inversion deal. Since the financial crisis, there has been a debate about the size of the subsidizes that large banks like JPMorgan receive from U.S. taxpayers.

At least for now, inversions are good for Dimon and his shareholders. The firm has been an advisor on 19 inversion deals that have been announced since last year. The bank is advising drug maker AbbVie on its $53 billion bid for Dublin-based Shire, which was announced on Monday.

''I love America. I'm just as patriotic as anyone,'' said Dimon. ''But we have a flawed corporate tax code that is driving U.S. companies overseas.''

Mr. DURBIN. I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

TAX REFORM

Mr. PORTMAN. Madam President, I was listening to my colleague from Illinois talking about the need for us to have economic patriotism and to keep people from moving jobs offshore.

I couldn't agree more, but the way to do it is to fix a broken Tax Code. It is frustrating to me that we have the President of the United States, we have Members of Congress on both sides of the aisle who have talked and talked and talked about the fact that we need to lower our tax rate and come up with a more competitive international tax system, and yet we do nothing about it. Instead, we are for these one-off political debates that we are going to have on the floor this week, apparently, that unfortunately aren't going to make any difference to the workers in America who are seeing this erosion of their wages, of their benefits, and often of their jobs because Washington is abdicating its responsibility. Washington is not doing what it has to do in order to meet its fiduciary responsibilities.

There is a lot of talk about that with these corporations. Our responsibility is to the people—to have the right tax system in place so that people can succeed so that if they work hard and play by the rules, the Tax Code is actually going to reward them and American companies can be competitive. That is simply not what is happening now. We need to do a lot of things too, such as to be sure we have a regulatory system that works, to have an international trading system that works for the workers of America, and to be sure we deal with our debt, deficit, and other issues.

But because the discussion of taxes is on the floor this week, I thought it would be helpful to talk just generally about where we are. We had a hearing today in the Finance Committee on this topic. We had experts in from across the spectrum. Although they disagreed on some of the specifics about what we ought to do today, they all agreed with one thing, which is that our Tax Code is broken. It is not working.

By the way, the Congressional Budget Office, which is the nonpartisan group that advises us on the economic impact of things, has looked at the Tax Code and said if you did deal with our high tax rates in this country and improved the corporate code, who benefits? It is the workers, and it is in terms of higher wages, better benefits, a job. This Congress has let the American people down, and it is time for us to deal with this issue and to deal with it in a way that can be nonpartisan.

We have, again, both sides of the aisle agreeing this is broken, and yet we can't seem to find that common ground to fix it. I would suggest there is common ground out there if we just get off the politics and start working on how we actually help people to be able to get ahead.

The issue that has come to the attention of all of us in Congress in the past few months the most is companies that are—what they call—inverting. These inversions are when a company in the United States buys a company overseas, merges with it, and then it becomes an overseas company. Often these companies they are buying are smaller than the U.S. company, and they become a foreign company because they are trying to get as far away from our Tax Code as they can. They want to become domiciled—they want to have their headquarters—in a foreign country because that country has a better Tax Code for a corporation to be able to succeed.

Again, there have been discussions on the floor recently about fiduciary responsibility. People do, if you are in corporate America, have a fiduciary responsibility to the shareholders. So they are making these decisions, and Washington sits by the sidelines and lets it happen.

I think the answer is to reform the Tax Code. I think we know what we have to do. I think we have to get busy on it.

Last week we saw another example of this. It was a Chicago drug company called AbbVie. Their bid to acquire a company called Shire looks like it is going to go through, and their combined company is going to move its tax headquarters to the UK, to England. This is hardly the first company to do this, and it won't be the last unless we change the code.

In fact, according to the Congressional Research Service, 35 companies have inverted in the past 5 years alone. I think the United States is still the best place to do business.

Despite our bad Tax Code, we have the most productive workforce; we have the best infrastructure; we have the rule of law; we have some great research institutions; we have a lot going for us; and we can compete and attract business from around the world.

So why are these companies going to England? Why are they going to the UK? Well, it turns out they have a tax code that was designed for this century, this decade—unlike here in America, where our international Tax Code was actually developed back in the 1960s. Things were a lot different then.

Our Tax Code itself and the rates of taxation were established in 1986. That is 25 years ago. The international system back to the 1960s, the rate we paid back to 1986—in 1986, ''Top Gun'' was the top at the box office. People still communicated by telegraph. The Mets were World Series champions. Pete Rose was playing for my hometown team, the Cincinnati Reds. That is how long ago it was.

A lot has changed since then. The world has changed. The global economy is far more competitive. It is very difficult for us in the United States of America to have a policy that is not affected by that global economy. And yet while every other one of our global competitors has reformed their tax code, we have not. They all have.

By the way, after the reform, the United Kingdom has a 21-percent corporate tax rate and they have a so-called territorial tax system. That basically means it taxes income in the UK if it is made in the UK, but otherwise it is taxed in the country where it is done. That means they have a competitive global tax system. By the way, about 93 percent of the companies that American companies compete with have that kind of more competitive international system. We have the old-style system.

We also have a higher rate. So we have a deadly combination—a higher rate, 39-percent tax rate, which is now the highest among all the developed countries in the world—not a No. 1 you want to be—but we have also got this international system that is not competitive.

So it is not a mystery why companies are leaving. When we look at the side-by-side, they are making decisions based on what is best for their shareholders. When we look at the changes in the tax rate since the 1990s and 2000s, we can see the United States is falling further behind.

Here is an interesting chart. This shows, just in 2004, what the tax rates were and now what they are in 2014. That is just 10 years ago. The United States is the same, 39 percent. And that 39 percent includes the Federal rate plus the State rate.

People say, well, the effective rate is less than that. Yes, it is less than that because people do take advantage of some of the so-called tax preferences. But even so, our rate is higher than these other countries.

We go from 39 percent to 39 percent; the UK, 30 to 21; Canada, 34.4 to 26, and they are going even lower at the Federal level; Netherlands, 34.5 to 25 percent; Ireland, 12.5; Switzerland, 24 to 21. And they have gone to these territorial tax systems that we talked about.

What has happened? Well, these are the companies that have left the United States of America to go to these countries. We mentioned Abbvi. That is the latest one last week. Medtronic, that was a couple weeks ago. On and on. There are companies in here from the State of Ohio. There is a company listed there from my home State of Ohio that chose to incorporate somewhere else because of the Tax Code. Guess what. They are going to save about $160 million on their tax bill this year. That is a pretty darned good savings, and that is wrong. We have to reform this Tax Code.

In 1960, 17 of the world's largest 20 companies were U.S.-headquartered. By 2010, only six were headquartered in the United States. In 2012 alone, our global 500 companies, the bigger companies' share fell from 36 percent to 26 percent.

I am not saying it is all due to taxes, but a lot of it is. If we talk to these companies, we find that out.

Again, I don't think anyone in the Senate—or in the White House, for that matter—disputes that tax reform is needed. I don't think so. Yet we aren't seeing it. Instead, again, we are hearing about these one-offsies, these small things that seem politically popular but aren't going to make a difference in terms of truly bringing the jobs back and attracting more jobs—attracting companies that want to headquarter here in the United States of America.

It is an admission that the United States is no longer the best place in the world to invest if we say we are going to require companies to do certain things so they can't follow the Tax Code. I think it is a futile effort to try to keep companies here with these new requirements, because ultimately if we do that and make it more disadvantageous to be an American company—so you have companies competing not just with one hand tied behind their back but with two hands tied behind their in a global economy—what will they do? Well, they will probably sell, because foreign companies can come in and buy them. And that has happened and is happening.

If you are a beer drinker, like I am, try to find an American beer these days. The largest share is probably Sam Adams, with about 1.4 percent market share. The rest are all foreign-owned. Yuengling is up there too at about 1.4 percent. But all of them. And foreign companies have come in here and bought these companies because they can pay a premium for them, because their aftertax profits are greater because their tax code in their country is more advantageous. Who does that hurt? It hurts American workers.

I am not saying they don't have facilities here. They do. But when they move their corporate headquarters out of the United States, the tax headquarters out of the United States, the history is, when you look at this, that jobs follow—including the higher paid executive jobs.

Also, an intangible but really important thing to American communities is, when you have a U.S. company headquartered here, they tend to invest in the communities. So think of the nonprofits involved with charities we help out with. There are probably some companies that help out there too and probably it is an American company.

So of course we have to keep up with the times, and we aren't doing that. If we don't, we are going to see more and more companies leave our shores. I don't think these companies want to leave our shores. I think they are doing it because Washington is letting them down.

Let's imagine for a second that a company did decide not to do one of these inversions because we did some one-off things, including to say: You ought to stay here. You ought to not take advantage of a company with a $160 million a year benefit.

I think what is going to happen is we will see more and more companies become foreign companies. American workers and American jobs are going to be lost because we are going to see foreign companies come in and buy these U.S. companies.

If we are truly patriots, economic patriots, we need to look at tax reform, and we need it as soon as possible. This can't, by the way, be just a Republican or Democrat priority. It needs to be an American priority. And it should be, because as far as I can tell in talking to people, the consensus is that it is broken. We have a pretty good sense of what we ought to do to try to fix it.

One, I think we have a pretty good sense that we ought to reduce the rate. So the corporate rate ought to be reduced. I think it has to get down to at least 25 percent for us to be competitive. Back when we last did this in 1986, we purposefully lowered the rate under Ronald Reagan to get it down to 34 percent so it would be below the average of the other developed countries of the world. That is what we have to do again. So, at least 25 percent.

And we need to do this, by the way, at the same time we eliminate some of these preferences, the deductions, the credits, the exclusions. I know that is tough, and some people are going to say: Well, gosh, I am going to lose my special preference or this is going to hurt my company. If they get a lower rate, one, they get a benefit. But, second, it helps the whole economy to have a lower rate.

Economists who look at this all agree, this will generate economic growth and will result, by the way, in more revenues coming in through growth as well. So we broaden the base by getting rid of a lot of the preferences, take those savings to lower the rate.

Then, finally, we need to do something about this international side. If we don't, we are not going to be able to be competitive. Even if we have a low tax rate, if we don't figure out a way to ensure we go to a system that is more like these other countries have all gone to—about 93 percent of the companies that we compete with have this what is called territorial system where you tax income where it is earned. If we don't do that, then I think we are going to end up making this problem worse, not better, by some of these proposals that say let's just kick the can down the road and immediately do something to create a requirement on companies to do this or that.

With regard to the anti-inversion rules, we are going to talk about that now. Let's not reform the Tax Code; let's just do something on inversions to make it harder to invert. We did that back in 2004. We enacted anti-inversion rules that were supposed to stop companies from moving overseas. As we saw in the first chart, that didn't work. Companies did anyway. And I don't think it is going to work today. In fact, I think it could make the problem worse, again, because those companies could then be targeted for foreign acquisition.

So if businesses are more valuable overseas than the United States and businesses can't move under the U.S. themselves, I think the foreign corporations will step in and buy them.

The Bring Jobs Home Act is a great title, and that is legislation we are going to consider here on the floor tomorrow. I think we ought to have a debate on it, so I am going to vote to proceed to have that debate. It is a great title, but I don't think there is anything in the legislation that is going to help to actually bring jobs back. I don't think anything in this legislation is going to address the fact that we have this high tax rate. I don't think there is anything in this legislation that is going to address the fact that we have a worldwide system that is way out of step with all our competitors.

It claims to remove deductions and tax credits and incentivize companies to move overseas. Unfortunately, that is not as easy as it sounds because, according to the Joint Committee on Taxes, which is the group here that advises us, under present law there are no targeted tax credits or disallowance of deductions related to relocating business units inside or outside the United States. There aren't any. So it is sort of tough to say we are going to do something with regard to credits or disallowances of deductions when there are none that relate directly to that.

There have been claims to the contrary that the media, looking at it routinely, says that is just false or misleading.

Finally, when it comes to proposed deductions for bringing jobs back to our shores, the proposal would likely pose some really serious administrative difficulties for an Internal Revenue Service that already has plenty of problems. The legislation, as I read it, gives the IRS authority to subjectively judge whether the IRS thinks that business deductions were made specifically for the purpose of bringing jobs to the United States or moving jobs overseas. Because there are no specific targeted tax deductions for this, the IRS would have to somehow subjectively determine whether that was true. That is going to be tough, because multinational businesses create and close businesses around the globe every day, most times because it is the most economically efficient thing to do from a business perspective. They start a company, close a company, move them around. Asking the IRS to determine whether those decisions were made specifically to move jobs to the United States or to move jobs overseas I think is going to be impossible. That is why this legislation, if passed, is not going anywhere.

I do appreciate my colleagues' hard work in trying to come up with real legislation to address the problem. Senator WYDEN, who is the Democratic Chair of the Finance Committee, has been working on that, as have others. But this particular one is just not going to help. It is just not going to help. That fact should serve as a stark reminder that the only way we are going to stop these so-called inversions, the only way we are going to stop people from saying I would rather be a foreign company than a U.S. company is to make it more attractive to be here—to do what we should have done over the last couple decades—and the rest of the world has; all of our competitors have—which is to reform our Tax Code so that it is good for American workers and good for American investors. If we do that, I think America's best days are ahead of us. I really do.

There are a lot of things we need to do, as we talked about earlier, to make this country more competitive and to be sure we are creating the best jobs and the greatest opportunities here for everybody. But one thing we can do that will give the economy a shot in the arm right away is this comprehensive tax reform. When people have analyzed this from a macroeconomic basis, they say: If we did this—lower the rate by broadening the base, go to this competitive international system—we would generate a lot more investment and business in America. That would in turn generate a lot more investments, a lot more business here in America. That would in turn generate more revenue.

So it is growth revenues, which is exactly what we want to see. We want to see more jobs, and we want to see us being able to have the kind of growth and prosperity so we can help to get out of this debt and deficit, which is a real problem. And, going forward, it is

a problem we are going to have to deal with, both because it affects the economy and because it affects what we are doing to future generations.

As legislators, it is our job to fix this problem. That is what we were hired to do. I know it is not easy. I know corporate tax reform is tough to do, because we would take away benefits from one company or another by lowering that rate. But, by the way, when we do this—when we do lower that rate and get rid of some of these preferences to do so, guess what. Everybody has to pay taxes.

People talk about it is unfair that some American companies in some years, because they get a tax break, don't pay taxes. Well, if they can't be as creative because there aren't all these deductions and credits and exemptions to be able to use, they are going to have to pay taxes. Everyone will pay. There will be a lower rate and they will be more competitive, and they won't be having this incentive to move offshore. But everybody will be paying taxes. And I think that is part of what we ought to be doing.

To be able to compete and to succeed and to help American workers, it is time for us to make tax reform a reality. Let's not do things that might feel good politically and do some of these one-offs and half steps that in the end could inadvertently actually make it worse, not better—because, again, if we make it even more difficult to be an American company, we are just not going to have as many American companies because they will be bought by foreign companies that can pay more for them and pay a premium. Let's instead get busy doing what we were elected to do, which is to work across the aisle to come up with sensible tax reform, lowering that rate, a competitive international system, and ensuring that we do create more opportunities for American workers to be able to compete—not just survive but thrive in the global economy.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. BALDWIN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CHAMBLISS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHAMBLISS. I ask unanimous consent to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

MALAYSIAN AIRLINE FLIGHT 17

Mr. CHAMBLISS. Madam President, I rise to talk about the deteriorating situation in Syria and in Iraq. However, before I address the situation in the Middle East, I wish to speak briefly about Russia and the downing of the Malaysian Airline flight 17.

Last week we all watched in horror as news came in of the almost 300 civilians who were callously murdered. I have seen the intelligence on this attack, and it is very clear Russia bears the responsibility for the death of these civilians. Vladimir Putin should be held accountable, regardless of whether it was a Russian soldier or a Russian-sponsored separatist who pulled the trigger. Russia either shot down the plane itself or directly gave separatists the order and the ability to do so.

Russia and its proxy separatists in eastern Ukraine are well armed, as was clearly demonstrated last week, and they are also very irresponsible. President Putin continues to flout the international community by sending heavy weapons and fighters into eastern Ukraine. In addition, Russia is supporting Bashar al-Assad's regime in Syria and failing to comply with some of its international arms control obligations.

The limited sanctions put in place so far have done little to deter Putin. In addition to simply increasing sanctions, President Obama must show strength and leadership and rally the international community to secure the crash site, conduct a thorough investigation, and hold the Russians, and particularly Putin, accountable for this unthinkable attack. Now is not the time for half measures. Swift and decisive action is needed to deal with this situation.

THE MIDDLE EAST

With regard to the Middle East, the rise of the al-Nusra Front and ISIL—the Islamic State of Iraq and the Levant—presents a serious and credible threat to the security of the region, to the United States of America, and to our allies. Yet despite repeated requests from me and other Members of this body on both sides of the aisle, the administration has yet to present a compelling plan to counter this growing threat. The administration seems determined to keep its head in the sand, but this threat simply cannot be ignored. This same wait-and-see mentality is just more of what got us into this mess with Syria in the first place.

ISIL is gaining strength, capturing arms and equipment, and closing in on Baghdad. ISIL in recent weeks has purportedly garnered hundreds of millions of dollars, thousands of fighters, and countless weapons. We have seen ISIL parade around with 4 U.S.-made howitzers and MRAPs. In the absence of resistance from MRAPs and other forces, ISIL is able to consolidate its gains, redistribute its captured material, and recruit additional fighters. As ISIL has taken territory, it has also ransacked several prisons, providing it with an even larger fighting force, all of this in preparation for an assault on Baghdad.

ISIL is clearly preparing to attack Baghdad, which will inevitably include terrorist attacks against Western interests and possibly including the international airport and the U.S. Embassy. ISIL fighters have plotted and conducted terrorist attacks in Baghdad over the past decade and it is naive to think they will not continue. We can wait for ISIL to descend on Baghdad with its newly acquired weaponry or we can take the fight to them before they reach the Capitol.

In addition to closing in on Baghdad, ISIL has its sights set on Jordan, Lebanon, Israel, and other parts of the region. On June 25 of this year, we saw an ISIL suicide bomber detonate himself in a Beirut hotel after being discovered by security forces. This is not the only attack we have seen outside of Iraq and Syria. Lebanon in recent months has been besieged by violence linked to the conflict in Iraq and Syria, and it is only a matter of time before these attacks spread to Jordan as well as to Israel.

ISIL not only represents a credible threat to the region but to Europe and the United States as well. Earlier this year we witnessed an armed attack on a Jewish Museum in Brussels. The attacker, a 29-year-old French national, had returned from fighting in Syria and was arrested with an ISIL flag wrapped around his rifle. Alarmingly, the cell's leader had been arrested in Afghanistan in 2001 and was also a former Guantanamo Bay detainee. Individuals linked to ISIL and Syrian extremist groups have been arrested in other parts of Europe, including Germany and France.

ISIL's aspirations don't end in Europe but extend to the United States. The group's leader, Abu Bakr al-Baghdadi, has been clear about the group's ultimate goal of confronting the United States, and as a country we must be prepared for this threat. Many of ISIL's leaders have threatened the United States for years under the banner of Al Qaeda and Iraq. These fighters have been planning attacks against Baghdad and are responsible for the deaths of many U.S. servicemembers over the last decade.

One of the biggest lessons we learned from the September 11 attacks was that we cannot give terrorists a sanctuary from which to plan attacks against us. Arguably, ISIL now has control of the largest territory ever held by a terrorist group. This safe haven provides ISIL with the time and space they need to train fighters and plan operations. It also has provided them with access to weapons and a network that can be used to support external operations. We knew about the threat we faced from Al Qaeda prior to 9/11, but we failed to act. I just hope we don't make the same mistake again.

ISIL isn't the only threat we face in Iraq and Syria. Experienced fighters and jihadists have flocked to Syria, forming several groups that could threaten the United States, including the Al Qaeda-affiliated al-Nusra Front. Several U.S. citizens and legal permanent residents have traveled to Syria to join the al-Nusra Front and other groups. In May we witnessed Moner Mohammad Abusalha, the first American suicide bomber in Syria, carry out

an attack that is believed to have killed almost 40 Syrian personnel.

A Florida native, Abusalha was eulogized by a recruitment video featuring images of the September 11 attack on the World Trade Center and a burning American flag.

The White House recently announced plans to increase support for the Syrian opposition, including a $500 million plan to train and equip vetted elements of the Syrian opposition. Despite the announcement, few details are available on how this training would actually take place, and it may be quite some time before this program begins. It is also unclear how this new program to train Syrian opposition fighters will actually help counter the growing terrorist threat in Syria as opposed to simply countering the Assad regime. It is clear the administration has not prepared any plan that will fit into a cohesive and compelling foreign policy in the region.

The Middle East over the last 3 years has been besieged by a resurgence of instability, violence, and terrorism. The administration, unfortunately, has done little to stop it. Instead of focusing on countering rising groups in Iraq and Syria, the administration has been focused on ending the wars in Iraq and Afghanistan, which appears to have had the unfortunate consequence of letting America's enemies grow stronger.

Al Qaeda, its affiliates, and other terrorist groups are determined to attack the United States. We constantly face new plots and operatives looking for ways to murder Americans, such as the foiled May 2012 AQAP plot to put another IED on a U.S.-bound commercial aircraft. Thankfully, this plot and others have not materialized, but we are not going to always be so fortunate. Just this month TSA was forced to institute new security measures to mitigate the terrorist threat to commercial aviation. The administration must come to grips with the terrorist threats we face and put policies in place that will effectively counter them. I would encourage the administration to act immediately before another act of terrorism against our country occurs.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent, notwithstanding rule XXII, that following the vote on the motion to invoke cloture on the motion to proceed to S. 2569 on Wednesday, July 23, the Senate proceed to executive session to consider Calendar Nos. 802, 786, and 599; that there be 2 minutes for debate equally divided between the two leaders or their designees prior to each vote; that upon the use or yielding back of that time, the Senate proceed to vote with no intervening action or debate on the nominations in the order listed; that any rollcall votes following the first in the series be 10 minutes in length; that if any nomination is confirmed, the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session; further, that if cloture is invoked on the motion to proceed to S. 2569, all time consumed while in executive session under the terms of this agreement count postcloture.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, for the information of all Senators, we expect the nominations to be considered in this agreement to be confirmed by voice vote.

EXECUTIVE SESSION

NOMINATION OF PAMELA HARRIS TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT

Mr. REID. Madam President, I move to proceed to executive session to consider Calendar No. 929.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

The motion was agreed to.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Pamela Harris, of Maryland, to be United States Circuit Judge for the Fourth Circuit.

Harry Reid, Patrick J. Leahy, Barbara A. Mikulski, Benjamin L. Cardin, Thomas R. Carper, Sheldon Whitehouse, Christopher A. Coons, Bernard Sanders, Dianne Feinstein, Mazie K. Hirono, Richard Blumenthal, Amy Klobuchar, Edward J. Markey, Tom Harkin, Kirsten E. Gillibrand, Christopher Murphy, Cory A. Booker.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk reported the nomination of Pamela Harris, of Maryland, to be United States Circuit Judge for the Fourth Circuit.

Mr. REID. Madam President, I ask unanimous consent the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. REID. I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

The motion was agreed to.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING THE HONORABLE BRENT T. ADAMS

Mr. REID. Madam President, I rise today to recognize the career of the Honorable Brent T. Adams, who is retiring from the Second Judicial District Court of the State of Nevada.

For more than 25 years, Judge Adams has been the presiding judge in Department Six of the district court. Since being appointed to the distinctive position by Governor Bob Miller on July 4, 1989, his consistent leadership and responsiveness to the public and the court have not gone unnoticed, as he successfully won four elections to maintain his seat. Judge Adams' dedication to his profession was reflected in the Washoe County Bar Association's biennial surveys, where he consistently received exceptional judicial performance evaluations and high retention ratings.

Beyond his remarkable career at the district court, Judge Adams has had a tremendous impact on the entire legal community. He has served as a faculty member of the National Judicial College for 20 years, where he conducts national and international legal and judicial training on a wide array of topics. Judge Adams initiated the Washoe County drug court, the court services program, and the Washoe County Criminal Justice Advisory Committee, which he chaired from 1993 to 2002. He is also an active member of the Nevada Board of Continuing Legal Education and has served on the Nevada Commission on Judicial Discipline, the Judicial Assessment Commission, the Nevada Supreme Court Alternative Dispute Resolution Committee, and the Washoe County Law Library Board.

In addition to his impressive work in the legal community, he has worked to serve the greater Reno community by serving on the University of Nevada, Reno College of Liberal Arts Advisory Council, and the Reno Diocese Review Board of the Roman Catholic Church.

Through his years of professional and voluntary service, Judge Adams has become a fixture in the Reno community. I congratulate him on his many successes and decades of dedicated public service, and I wish him the best in all his future endeavors.

TRIBUTE TO DICK CLARK

Mr. LEAHY. Madam President, I served with Dick Clark and traveled with him to different parts of the country, including a very cold day in the winter in Vermont. One of the finest Senators I served with was Dick Clark from Iowa and I still think of all I learned from him. I was so happy to see David Rogers' article about him in Politico. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Politico, Dec. 20, 2013]

A NELSON MANDELA BACKSTORY: IOWA'S DICK CLARK

(By David Rogers)

Dick Clark was Mandela when Mandela wasn't cool.

A one-term Democratic senator from Iowa and for years afterward a leader of congressional discussions on apartheid, Clark is now 85 and long gone from the public scene. But the ups and downs of his career are an intriguing back story—and counterpoint—to the outpouring of praise for Nelson Mandela, the black liberation leader and former president of South Africa who died Dec. 5.

It wasn't always that way in Washington.

Indeed, Mandela turned 60 in South Africa's Robben Island prison in the summer of 1978 even as Clark—chairman of the African Affairs panel on the Senate Foreign Relations Committee—was fighting for his own re-election in Iowa.

It was a time when Republican challenger Roger Jepsen felt free to taunt the Democrat as ''the senator from Africa.'' Tensions were such that the State Department called in a South African Embassy official in May for making disparaging remarks about Clark in Iowa. And after Clark lost, South Africa's ousted information secretary, Eschel Rhoodie, said his government invested $250,000 to defeat Clark, who had become a thorn in the side of the white regime.

Jepsen denied any knowledge of South Africa's alleged role. Nor does Clark accuse him of such. But 35 years after, Clark has no doubt that the apartheid government led by Prime Minister B. J. Vorster wanted him out—and had a hand in his defeat.

Clark's liberal record and support of the Panama Canal Treaty, which narrowly cleared the Senate in the spring of 1978, also hurt his chances in Iowa. But the fatal blow was a fierce wave of late-breaking ground attacks from anti-abortion forces—something even conservative writers like Robert Novak had not anticipated in a published column weeks before.

''Abortion was the issue, and how much effect this apparent $250,000 had to do with promoting it more, I have no way of evaluating it,'' Clark said in a recent interview at his home in Washington. ''No question that they did it. They said they did, and I think they did.''

Clark had made himself a target for South Africa with his high-profile chairmanship of the Africa subcommittee. In Washington as well, he was not without critics who accused him of being too puritanical, too quick to fault U.S. policy. But like no senator before him, Clark used the panel to raise the visibility of human rights issues in the southern regions of the continent.

The roster of prior Africa subcommittee chairs reads like a Who's Who of national Democrats: John Kennedy in the late 1950s; Tennessee Sen. Albert Gore, father of the future vice president; future Senate Majority Leader Mike Mansfield; and former Vice President Hubert Humphrey after his return to the Senate. But all stayed for just one Congress before moving on. Clark stuck, challenging Cold War policies that he believed hurt the larger struggle against apartheid that Mandela symbolized.

''He was the icebreaker here,'' says his friend Rep. George Miller (D–Cal.). ''He was out breaking ice on Africa issues for the country and certainly for the Senate.''

What's more, after losing his Senate seat, Clark didn't stop. Instead, he found a new classroom via the Aspen Institute, where the former professor began what amounted to his own graduate program in 1983 to educate members of Congress about different policy issues.

Russia had been Clark's early academic interest and was as well in his first years at Aspen. But Africa tugged and he set out ''to try to get a cadre of Congress who would know about South Africa and what was going on in South Africa.''

These typically were nearly weeklong seminars—held at choice locales overseas to lure members of Congress but also to provide neutral ground for the warring parties inside South Africa.

Bermuda, for example, served as a meeting place in 1989. The island allowed officials from the South African government to shuttle in and out before the arrival of outlawed representatives for Mandela's African National Congress, which was operating then from outside South Africa.

''All of them were there, making their pitches,'' Clark said. And once Mandela was released from prison in 1990, the venue shifted to South Africa itself. ''We got Mandela, who had just gotten out of jail not long before, to come,'' Clark recalls of an April 1991 session in Cape Town a seminar that also included F. W. de Klerk, South Africa's white president.

Most striking here was Clark's impact on Republicans—the party that helped to throw him out of the Senate.

''He is a wonder,'' says former Sen. Alan Simpson (R-Wyo.). ''I had been told he was a lefty, the stereotype, but he just drew out people. He never showed bitterness toward the right or promoting one side.''

Just as ''Mandela made a difference, Dick Clark made a difference in awareness'' at home in Congress, Simpson adds.

Former Rep. John Porter (R-Ill.) remembers an Aspen meeting in Cape Town at which Clark surprised the participants on the last day by sending them out to walk through the neighborhoods of a black township to meet with families. ''Dick Clark would do things like that,'' Porter said.

''This was before all the big changes in South Africa when we were debating sanctions,'' said former Sen. John Danforth (R-Mo.). ''He was just so dedicated to it and knew all the players.''

In fact, Clark says he knew very little about Africa before coming to the Senate after the 1972 elections. But when a seat opened up on Foreign Relations in 1975, he grabbed it and fell into the Africa post just ahead of his classmate Sen. JOSEPH BIDEN (D-Del.), the future vice president.

Timing is everything in Congress and it was Clark's good fortune in this case. The legendary but very controlling Foreign Relations Committee Chairman J. William Fulbright (D-Ark.) had just left the Senate at the end of 1974 and this allowed subcommittee chairs like Clark to act more on their own.

''Fulbright's attitude was the subcommittees couldn't do anything. Everything ought to be done by the full committee,'' Clark said. ''I was next to last on seniority. When it got down to me, the only thing left was Africa about which I knew very little. Some would say none. So I just figured: Here's a chance to learn something and I spent a lot of time doing hearings and learning about Africa.''

He also traveled venturing into southern, sub-Saharan Africa which was then unfamiliar to many on the Senate committee.

''Humphrey told me that he got as far south as Ethiopia,'' Clark said. ''It was new territory and interesting and of course we were putting a lot of covert money in Africa, as were the Russians.''

In the summer of 1975, Clark and two aides left Washington for what was to be a trip to just Tanzania, Zambia and Zaire. But that itinerary quickly expanded to include the two former Portuguese colonies, Mozambique and Angola.

The Angola detour was pivotal and included face-to-face meetings with Central Intelligence Agency personnel on the ground as well as the leaders of the three rival factions in Angola's post-colonial civil war. The Soviet Union and Cuba were then actively backing the new leftist government under Agostinho Neto. The CIA and South Africa had begun a covert partnership assisting rebel factions: chiefly Jonas Savimbi in the south, but also Holden Roberto, whose base was more in the north and Zaire.

Soon after Clark returned, the debate broke into the open after news reports detailing the U.S. and South African operations. Congress cut off new funding in a December 1975 appropriations fight. It then quickly enacted a more permanent ban the so-called Clark amendment prohibiting future covert assistance for paramilitary operations in Angola.

Signed into law in February 1976, the Clark amendment was repealed under President Ronald Reagan in 1985. Conservatives long argued that it was always an overreach by Congress, reacting to Lyndon Johnson and Richard Nixon's handling of the Vietnam War.

''The danger now is the pendulum will swing too far the other way,'' Secretary of State Henry Kissinger warned Clark's panel in a January 1976 hearing.

But for all the echoes of Vietnam, Clark says he saw his amendment more as a way to separate the U.S. from South Africa's apartheid regime.

''The reason the amendment passed so easily in both houses was because of Vietnam, so I certainly related the two,'' Clark said. ''But my interest was really in Africa and South Africa. We were aligning ourselves with apartheid forces. The reason for my amendment was to disassociate us from apartheid and from South Africa.''

''Kissinger had really no feeling for human rights that I could ever discern and certainly not in South Africa,'' Clark said. ''His association with South Africa was obviously very close.''

A year later, visiting South Africa, Clark got a taste of how closely the white government under Vorster had been watching him.

That trip included an important meeting in Port Elizabeth with the young black leader, Steve Biko, who had just been released from jail and would die 10 months later after a brutal interrogation in the summer of 1977. Clark said he became a courier of sorts, taking back a Biko memorandum to Jimmy Carter's incoming administration.

But while in South Africa, Vorster himself wanted to see Clark and spent much of an hour quizzing the senator on his past public comments—even down to small college appearances in the U.S.

''He spent an hour with me,'' Clark said. ''They obviously had followed me to each of these, much to my surprise.''

''He would quote me. And then he would say, Did you say that on such and such a date and such and such a place?' ''We went through this for an hour. He just wanted the opportunity to tell me how wrong I was about everything I was saying.''

''He was the last great Afrikaner president,'' Clark said. ''In fact, he ultimately resigned over the embarrassment of the Muldergate thing years later.''

The Muldergate thing—as Clark calls it—was a major scandal inside South Africa in the late 1970s when it was revealed that government funds had been used by the ruling National Party to mount a far-reaching propaganda campaign in defense of apartheid.

This went well beyond placing favorable articles or opinion pieces in the press. Tens of millions of dollars were invested to try to undermine independent South African papers. There was even a failed attempt in the U.S. to buy the Washington Star in hopes of influencing American policy.

Muldergate got its name from Connie Mulder, South Africa's information minister at the time. But just as Watergate had its John Dean, Rhoodie—a top deputy to Mulder—proved the top witness: a suave propagandist who later gave detailed interviews and wrote his own book on the subject filling 900-plus pages.

Rhoodie, who was prosecuted for fraud but cleared by an appeals court in South Africa, ultimately relocated to the U.S., where he died in Atlanta in 1993. But by his account, the Vorster government had used its contacts with a Madison Avenue public relations firm, Sydney S. Baron & Co. Inc., to undermine Clark's reelection.

Rhoodie describes a meeting early in 1978 in South Africa attended by Mulder, Vorster and Baron at which Clark's election was specifically discussed, and the $250,000 was later moved into one of Baron's accounts ''to make sure that Clark was defeated.''

As South Africa's information secretary, Rhoodie was in fact the signatory of contracts with Baron, according to filings with the Justice Department. These show the New York firm initially received about $365,000 annually under a contract signed in April 1976. This was increased to $650,000 a year later. In August 1977, the same arrangement was extended through January 1979, including a $250,000 payment in April 1978.

Whether this $250,000 is a coincidence or what Rhoodie was speaking on is not clear. At this stage, most of the major players are dead and New York state corporate records show Baron's firm was dissolved in 1993—the year that Rhoodie died.

Watching it all is Clark's friend, old boss in the House and later Senate colleague, John Culver. The two met in 1964, when Clark signed on to help Culver win his first House election and then worked with Culver in Washington until 1972, when Clark went back to Iowa to run for the Senate.

A Harvard-educated Marine Corps veteran, Culver said he had his own fascination with Africa as a young man in the 1960s. But he remembered that era as a time of greater optimism, as new countries across the continent were emerging from colonial rule.

''Dick came to it when there was less political reward,'' Culver said. ''But he stuck to it.''

TRIBUTE TO CAPTAIN STEVEN J. RAIRDON

Mr. MCCONNELL. Mr. President, I would like to take a minute to recognize CPT Steve Rairdon of Leslie County, KY. Captain Rairdon is a member of the 173rd Airborne Brigade and participated in commemorating the 70th anniversary of the D-day invasion in Normandy, France, last month.

As an airborne soldier, Captain Rairdon understands the indispensable role his predecessors—the first soldiers of their kind—played in the D-day invasion. In the earliest hours of June 6, 1944, Allied paratroopers dropped behind enemy lines in advance of the amphibious invasion to disrupt German lines of communication and to secure key roads and bridges. The success of their mission proved vital to the success of the invasion as a whole.

By participating in the 70th anniversary ceremonies, which included a jump into Normandy, Captain Rairdon and all those who joined him paid a wonderful tribute to our veterans who fought 70 years ago. It is these acts of remembrance that continue to illuminate the unimaginable sacrifices made by the members of the ''greatest generation''. Therefore, I ask that my Senate colleagues join me in honoring Captain Steve Rairdon.

The Leslie County News recently published an article detailing Captain Rairdon's time spent in Normandy. I ask unanimous consent that the full article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD as follows:

[From the Leslie County News, July 3, 2014]

TELLING THE AMERICAN MILITARY STORY . . . ONE SERVICE MEMBER AT A TIME

NORMANDY, France.—Army Captain Steven J. Rairdon stands on hallowed ground, as he and hundreds of other American service members are here commemorating the 70th anniversary of the Normandy D-day invasion in 1944 that changed the course of World War II and history. ''Honoring our history, securing our future'' is the reason the American service members are here today. Rairdon is a member of C Company, 173rd Brigade Support Battalion from Vicenza, Italy, and spent approximately a week in the Normandy region, participating in ceremonies and representing the Americans who fought here 70 years ago.

''I'm extremely honored to have been given the opportunity to jump here. It's very humbling. I'm proud of our American World War II veterans. They made great sacrifices for our nation, and paved the way for today's airborne community. Thank you to all of our veterans and their families for their sacrifices they've made to keep our country and our NATO allies free,'' Rairdon said.

Soldiers such as Rairdon remain indebted to the veterans whose service demonstrated the selfless actions of the ''greatest generation'' who not only served to protect and defend our nation, but were part of a global force to defend peace and strengthen our ties with an emerging Alliance. The selfless actions by all allies on D-day continue to resonate 70 years later as U.S. forces in Europe remain steadfast in our commitment to our European partners and NATO Allies.

Rairdon is the husband of Myra Sizemore Rairdon, a 1992 graduate of Leslie County High School and the son-in-law of former Leslie County Superintendent Tommy Sizemore of Hyden, KY. Rairdon is the son of Steve Rairdon of Dewitt, Iowa, and Theresa Reeves of Tyler, Texas.

VOTE EXPLANATION

Mr. SCHATZ. Madam President, on July 16, 2014, I was absent from votes on the confirmation of Mr. Ronnie L. White to be U.S. District Judge for the Eastern District of Missouri Vote No. 227 and on S. 2578, the Protect Women's Health from Corporate Interference Act of 2014 Vote No. 228.

I wish to state for the record my strong support for Mr. White's nomination and the Protect Women's Health from Corporate Interference Act. I also wish to state that I would have voted aye on Mr. White's nomination and the Protect Women's Health from Corporate Interference Act had I been present.

HONORING OUR ARMED FORCES

SERGEANT VINSON B. ADKINSON III

Mr. INHOFE. Madam President, I wish to pay tribute to Army SGT Vinson B. ''Trinity'' Adkinson III. Sergeant Adkinson and three other soldiers died August 31, 2010, when an improvised explosive device blew up next to their vehicle near Forward Operating Base Shank, Logar province, Afghanistan.

Known by family and friends as ''Trinity'' because he was the third Vinson in his family, he was born on December 13, 1983, and grew up in Empire City, OK, before moving in his junior year of high school to live with an aunt in Kansas. His father recalled interest in the Armed Forces was stoked early for Trinity as the first toys his son played with were G.I. Joes.

''He played army outside, he trick or treated as an armyman,'' Adkinson Jr. said. ''Me and him spent a lot of time outside in the woods. He was born to be a soldier.'' Trinity enlisted in the Army immediately after graduating from Chaparral High School in Harper, KS, in 2003.

He started his career with the 82nd Airborne Division followed by serving with the Honor Guard of the 4th Infantry Division. Later assigned to the 173rd Brigade Support Battalion, 173rd Airborne Brigade Combat Team based in Bamberg, Germany, Trinity served three tours in Iraq and was on his second tour in Afghanistan.

''I begged him not to go back,'' said grandmother Mary Adkinson after seeing her grandson earlier this year. She said he told her he needed to return to Afghanistan so that the people of that nation could have peace in their lives.

He was preceded in death by his grandfathers, Vinson Bryon Adkinson, Sr., and Robert Allen Morgan, Sr., and is survived by his wife Veronica, father Vinson Bryon Adkinson, Jr., of Comanche, OK, brother Jacob Aaron Adkinson of Stillwater, OK, sister

Mary Kay Adkinson of Wichita, KS, his paternal grandmother Mary Ellen Adkinson of Duncan, OK, and maternal grandmother Sharon Kay Morgan of Wichita, KS.

SGT David Shearouse served with Trinity and was given the task of escorting his remains home. ''He always wanted to take point, he wanted to be the leader,'' he said of his fallen comrade. ''Everybody wanted to be like him. He was a good man. I lost my friend, my brother and my hero.''

The family held a funeral service for Sergeant Adkinson on September 13, 2010, and he was laid to rest with full military honors in Fort Sill National Cemetery in Elgin, OK.

Today we remember Army SGT Vinson B. Adkinson III, a young man who loved his family and country and gave his life as a sacrifice for freedom.

SERGEANT JASON L. MCCLUSKEY

Madam President, I would also like to pay tribute to SGT Jason L. McCluskey. Jason was tragically killed in action on November 4, 2010, of wounds suffered when insurgents attacked his unit with small-arms fire in Zarghun Shahr, Mohammad Agha district of Afghanistan.

Jason was born September 12, 1984, to Jimmy and Delores ''Darby'' McCluskey in Stockton, CA, and later moved to McAlester, OK. As a wrestler at McAlester High School he went to the State championship tournament several times before graduating in 2004. Quoting James Dean in his senior quote, he wrote: ''Dream as if you will live forever. And live as if you will die today.''

Upon enlisting in the Army in April 2006, he was assigned as a paratrooper to the 27th Engineer Battalion, 20th Engineer Brigade, XVIII Airborne Corps, Fort Bragg, NC. ''SGT McCluskey was a true hero to us all,'' said 1SG Randolph Delapena, his company first sergeant. ''He was like my son that I saw come up the ranks to become an elite non-commissioned officer. He was the edge of the sword, he led from the front, and he cared deep down for not only his Soldiers, but every Soldier he came in contact with.''

His mother, Delores Oliveras, said shortly after her son's death that Jason was dedicated to serving in the Army. ''I asked him plenty of times to leave the Army,'' she said. ''But all he would say was, 'No, Mom, I really love what I do.' '' Shortly before his death, he was named his battalion's Noncommissioned Officer of the Year.

McCluskey is survived by his son Landon McCluskey, mother Delores Darby McCluskey Oliveras and her husband Ray, father Jimmy McCluskey, brother Joshua Stambaugh, stepfather Charlie Stambaugh, grandmother Anita McCluskey, grandmother Wilma Kohl and her husband Doyle, mother of his son, Cassie Wright, and many aunts, uncles, cousins, nieces and nephews, as well as many other relatives, friends, and loved ones too numerous to mention.

A funeral was held on November 12, 2010, at Chaney Harkins Funeral Home, and he was laid to rest in Tannehill Cemetery in McAlester, OK.

''Our Army and nation will be forever indebted to SGT McCluskey for his service,'' said Major General Rodney O. Anderson from Fort Bragg. ''SGT McCluskey laid down his life for his friends, his battle buddies, his unit, our Army and our nation.''

Today we remember Army SGT Jason L. McCluskey, a young man who loved his family and country and gave his life as a sacrifice for freedom.

CAPTAIN DAVID J. THOMPSON

Madam President, I am also honoring the life and sacrifice of a true American hero, Army CPT David J. Thompson. Captain Thompson died on January 29, 2010, at Forward Operating Base Nunez, Afghanistan, of injuries sustained while supporting combat operations.

Known as John Paul—JP for short—by many, he was born on May 25, 1970, and listed Hooker, OK, as his home of record. In 1989 he enlisted in the Army and completed basic combat training and advanced individual training at Fort Jackson, SC.

John Paul served in a wide variety of jobs during his military career. His first assignment was as a radio telephone operator and team chief for the Regimental Signal Detachment, 75th Ranger Regiment and communications sergeant for the Regimental Reconnaissance Detachment with the 75th Ranger Regiment, Fort Benning, GA. From 1995 to 1998, he served in AK as a rifle squad leader and platoon sergeant with the 1st Battalion, 501st Parachute Infantry Regiment. He later served as a staff noncommissioned officer with the Command Operations Center, U.S. Army AK.

From January 1999 to May 2002, while attending East Carolina University, he served with the 514th Military Police Company, NC Army National Guard. In May 2002 he completed a bachelor of arts degree in chemistry and was commissioned as a chemical officer. Following his officer basic course, he was assigned to 10th Mountain Division, Fort Drum, NY, as the division chemical logistics officer. In March 2003 he was assigned to 1st Battalion, 87th Infantry Regiment and served as a battle captain and rifle platoon leader for his first deployment supporting Operation Enduring Freedom. Then, from June 2004 to November 2005, he served as the battalion adjutant and rear detachment commander. From August to December 2008 he served as executive officer for Company C, 3rd Battalion, 3rd Special Forces Group (Airborne) and held that position until taking command of Operational Detachment Alpha 3334, Company C, 3rd Battalion, 3rd Special Forces Group, Fort Bragg, NC, in January 2009.

Captain Thompson was laid to rest with full military honors at Arlington National Cemetery in Arlington, VA, on February 15, 2010.

John Paul is survived by his wife Emily and their two daughters, Isabelle and Abigail of Pinehurst, NC; parents Charles and Freida Thompson of Hinton, OK; and sister Alisa Mueller.

Today we remember Army CPT David J. Thompson, a young man who loved his family and country and gave his life as a sacrifice for freedom.

REGARDING U.S. SUPPORT FOR ISRAEL

Mr. MERKLEY. Madam President, as the conflict in Gaza continues to escalate, we mourn the tragic loss of lives and hope for a speedy and peaceful resolution. Israelis and Palestinians have both seen far too much bloodshed and destruction.

I cosponsored S. Res. 498 because I stand by Israel's right to defend itself against Hamas' indiscriminate attacks. No country in the world would be expected to stand by as its people are threatened with rocket fire. But both sides should do everything possible to deescalate and end this battle. I urge Hamas to end its attacks and to renounce its mission of annihilating Israel, and I urge Israel to exercise restraint and proportional force, tailoring its tactics to protect innocent lives.

There can and must be an end in sight for the violence that is now engulfing the region. I support calls for an immediate ceasefire. The United States must continue to stand ready to help facilitate a solution and a path forward toward both security and economic development, which are essential elements for any enduring peace.

BOOTHBAY, MAINE 250TH ANNIVERSARY

Ms. COLLINS. Madam President. I wish to commemorate the 250th anniversary of the Town of Boothbay, ME. Boothbay was built with a spirit of determination and resiliency that still guides the community today, and this is a time to celebrate the generations of hard-working and caring people who have made it such a wonderful place to live, work, and raise families.

The year of Boothbay's incorporation, 1764, was but one milestone in a long journey of progress, a journey that is inextricably linked to the sea. For thousands of years the Boothbay Peninsula was a fishing grounds of the Etchemin Tribe, and the extensive shell middens and other archeological sites are today a treasure trove of this ancient history.

Drawn by one of the finest natural harbors in New England, English settlement began within a few years of the Pilgrims landing at Plymouth in 1620. The early English influence is underscored by the fact that some of the first deeds granted to the settlers were signed by the Etchemin Sagamore, who was called Chief Robinhood by the newcomers. By 1764, Boothbay was a growing town with an economy driven by

fishing, shipbuilding, and tidal-powered sawmills. The wealth produced by the sea and by hard work was invested in schools and churches to create a true community.

Boothbay was a vital center for revolutionary activity during America's fight for independence. The strategic importance of the harbor put the small town under frequent enemy attack, and more than 100 patriots rose to its defense. During the war Captain Paul Reed established himself as one of our young nation's ablest and most courageous naval commanders. The Reverend John Murray was an eloquent and fearless voice for freedom, and his powerful words called many to its cause.

In the decades that followed, Boothbay became a place of industry and innovation with such endeavors as fish processing, canning, and fish-oil production. During the 1830s, Boothbay's bracing sea breezes and crystal-clear waters made it an early health spa, and by the end of the 19th century the town became a favorite destination for vacationers and summer residents.

Today the people of Boothbay continue to build on those traditions. Fishing and lobstering are mainstays of the economy. Fine hotels, inns, and restaurants support a thriving tourism industry. Boatyards build luxury yachts, fishing boats, and advanced vessels for military and law-enforcement purposes. Since its founding in 1974, the Bigelow Laboratory for Ocean Sciences has become a global leader in oceanographic research. Lobster boat races, the annual Windjammer Days, and the Fishermen's Festival celebrate the town's maritime heritage, and the restored Opera House provides a beautiful venue for arts and entertainment.

This 250th anniversary is not just about something that is measured in calendar years. It is about human accomplishment, an occasion to celebrate the people who for more than two and a half centuries have pulled together, cared for one another, and built a community. Thanks to those who came before, Boothbay has a wonderful history. Thanks to those who are there today, it has a bright future.

TRIBUTE TO GENERAL WILLIAM L. SHELTON

Mr. UDALL of Colorado. Madam President, I wish to recognize Gen. William L. Shelton, commander of Air Force Space Command, on the occasion of his retirement from the U.S. Air Force.

Over the course of his 38-year career in the U.S. Air Force, General Shelton has served with great distinction and made countless sacrifices for our country. I join with all Coloradans in commending his service, the sacrifices of his family—including his wife Linda and their two children, Sara and Joel—and I offer my great personal appreciation for his leadership and devotion to our Nation's security.

A graduate of the U.S. Air Force Academy, General Shelton's selection as the commander of Air Force Space Command in January 2011 culminates a distinguished career that began in 1976 at the Space and Missile Test Center at Vandenberg Air Force Base, CA. In a career dedicated to the space enterprise, he commanded units at Falcon-Schriever, F.E. Warren, Offutt, Vandenberg, and Peterson Air Force Bases. He also provided valuable leadership and counsel to the Secretary of the Air Force, the Chief of Staff of the Air Force, and the Joint Staff during multiple headquarters U.S. Air Force assignments. His positive leadership had a direct and positive impact on countless men and women in our Armed Forces, and his legacy will benefit the United States and our space policy for generations to come.

Throughout his career, General Shelton has been a vigilant advocate for our national security space programs. As the commander of Air Force Space Command, he was responsible for organizing, training and equipping more than 40,000 military and civilian personnel to assure space and cyberspace capabilities for the combatant commands and for the Nation. While those capabilities clearly contribute to our military's technological and strategic superiority, they also have become essential in humanitarian and disaster relief efforts—and they are now vital assets for the global community and world economy. As a result of his leadership, the Air Force has established a truly impressive record of successful space launches while developing an acquisition regime that has led to greater mission assurance and simultaneous cost savings across the Department of Defense. Further, his vision of future space capabilities will position the military to provide resilient, capable, and affordable space operations for the joint forces and the Nation well into the future.

General Shelton established and sustained an unmatched level of success during a time of increasing challenges. He has worked closely with the Senate Armed Services Committee, and the Subcommittee on Strategic Forces, which I am proud to chair. It has been our great privilege to work with him. His frank and informed discussions of our space systems, including the global positioning satellite system, have helped leaders and citizens around the world appreciate the value and need to protect our Nation's foundational space capabilities. I am personally grateful for General Shelton's wise counsel and firm resolve to always do what is best for the Nation and for the airmen he has led. He is a leader of exceptional intellect, candor, and integrity, and his deeply held commitment to doing the right thing for the right reasons is clear to all who have been fortunate enough to work with him.

With nearly four decades of exemplary service to our Nation, Gen. William L. Shelton deserves our most heartfelt gratitude and praise. He and his family have my very best wishes for a long, happy, and well-deserved retirement. Our Nation and our Air Force are better for his leadership and distinguished service.

ADDITIONAL STATEMENTS

HOWARD COUNTY, IOWA

• Mr. HARKIN. Madam President, the strength of my State of Iowa lies in its vibrant local communities, where citizens come together to foster economic development, make smart investments to expand opportunity, and take the initiative to improve the health and well-being of residents. Over the decades, I have witnessed the growth and revitalization of so many communities across my State. And it has been deeply gratifying to see how my work in Congress has supported these local efforts.

I have always believed in accountability for public officials, and this, my final year in the Senate, is an appropriate time to give an accounting of my work across four decades representing Iowa in Congress. I take pride in accomplishments that have been national in scope—for instance, passing the Americans with Disabilities Act and spearheading successful farm bills. But I take a very special pride in projects that have made a big difference in local communities across my State.

Today, I would like to give an accounting of my work with leaders and residents of Howard County to build a legacy of a stronger local economy, better schools and educational opportunities, and a healthier, safer community.

Between 2001 and 2013, the creative leadership in your community has worked with me to successfully acquire financial assistance from programs I have fought hard to support, which have provided more than $12.4 million to the local economy.

Of course my favorite memories of working together have to include their tremendous success in obtaining funds from a variety of programs I fought for including farm bill funding, public safety programs, and firefighter safety equipment.

Among the highlights:

School grants: Every child in Iowa deserves to be educated in a classroom that is safe, accessible, and modern. That is why, for the past decade and a half, I have secured funding for the innovative Iowa Demonstration Construction Grant Program—better known among educators in Iowa as Harkin grants for public schools construction and renovation. Across 15 years, Harkin grants worth more than $132 million have helped school districts to fund a range of renovation and repair efforts—everything from updating fire safety systems to building new schools. In many cases, these Federal

dollars have served as the needed incentive to leverage local public and private dollars, so it often has a tremendous multiplier effect within a school district. Over the years, Howard County has received $91,360 in Harkin grants. Similarly, schools in Howard County have received funds that I designated for Iowa Star Schools for technology totaling $35,000.

Disaster mitigation and prevention: In 1993, when historic floods ripped through Iowa, it became clear to me that the national emergency-response infrastructure was woefully inadequate to meet the needs of Iowans in flood-ravaged communities. I went to work dramatically expanding the Federal Emergency Management Agency's hazard mitigation program, which helps communities reduce the loss of life and property due to natural disasters and enables mitigation measures to be implemented during the immediate recovery period. Disaster relief means more than helping people and businesses get back on their feet after a disaster, it means doing our best to prevent the same predictable flood or other catastrophe from recurring in the future. The hazard mitigation program that I helped create in 1993 provided critical support to Iowa communities impacted by the devastating floods of 2008. Howard County has received over $2.7 million to remediate and prevent widespread destruction from natural disasters.

Agricultural and rural development: Because I grew up in a small town in rural Iowa, I have always been a loyal friend and fierce advocate for family farmers and rural communities. I have been a member of the House or Senate Agriculture Committee for 40 years—including more than 10 years as chairman of the Senate Agriculture Committee. Across the decades, I have championed farm policies for Iowans that include effective farm income protection and commodity programs; strong, progressive conservation assistance for agricultural producers; renewable energy opportunities; and robust economic development in our rural communities. Since 1991, through various programs authorized through the farm bill, Howard County has received more than $7.6 million from a variety of farm bill programs.

Keeping Iowa communities safe: I also firmly believe that our first responders need to be appropriately trained and equipped, able to respond to both local emergencies and to statewide challenges such as the methamphetamine epidemic. Since 2001, Howard County's fire departments have received over $1.5 million for firefighter safety and operations equipment and over $337,000 in public safety dollars.

Disability rights: Growing up, I loved and admired my brother Frank, who was deaf. But I was deeply disturbed by the discrimination and obstacles he faced every day. That is why I have always been a passionate advocate for full equality for people with disabilities. As the primary author of the Americans with Disabilities Act, ADA, and the ADA Amendments Act, I have had four guiding goals for our fellow citizens with disabilities: equal opportunity, full participation, independent living and economic self-sufficiency. Nearly a quarter century since passage of the ADA, I see remarkable changes in communities everywhere I go in Iowa—not just in curb cuts or closed captioned television, but in the full participation of people with disabilities in our society and economy, folks who at long last have the opportunity to contribute their talents and to be fully included. These changes have increased economic opportunities for all citizens of Howard County, both those with and without disabilities. And they make us proud to be a part of a community and country that respects the worth and civil rights of all of our citizens.

This is at least a partial accounting of my work on behalf of Iowa, and specifically Howard County, during my time in Congress. In every case, this work has been about partnerships, cooperation, and empowering folks at the State and local level, including in Howard County, to fulfill their own dreams and initiatives. And, of course, this work is never complete. Even after I retire from the Senate, I have no intention of retiring from the fight for a better, fairer, richer Iowa. I will always be profoundly grateful for the opportunity to serve the people of Iowa as their Senator.●

WRIGHT COUNTY, IOWA

● Mr. HARKIN. Madam President, the strength of my State of Iowa lies in its vibrant local communities, where citizens come together to foster economic development, make smart investments to expand opportunity, and take the initiative to improve the health and well-being of residents. Over the decades, I have witnessed the growth and revitalization of so many communities across my State. And it has been deeply gratifying to see how my work in Congress has supported these local efforts.

I have always believed in accountability for public officials, and this, my final year in the Senate, is an appropriate time to give an accounting of my work across four decades representing Iowa in Congress. I take pride in accomplishments that have been national in scope—for instance, passing the Americans with Disabilities Act and spearheading successful farm bills. But I take a very special pride in projects that have made a big difference in local communities across my State.

Today, I would like to give an accounting of my work with leaders and residents of Wright County to build a legacy of a stronger local economy, better schools and educational opportunities, and a healthier, safer community.

Between 2001 and 2013, the creative leadership in your community has worked with me to successfully acquire financial assistance from programs I have fought hard to support, which have provided more than $9.5 million to the local economy.

Of course, one of my favorite memories of working together is the tremendous success that the Iowa Specialty Hospital Belmond had in obtaining a $21.6 million Community Facility Grant from the U.S. Department of Agriculture's Rural Development Office to renovate the hospital facility.

Among the highlights:

School grants: Every child in Iowa deserves to be educated in a classroom that is safe, accessible, and modern. That is why, for the past decade and a half, I have secured funding for the innovative Iowa Demonstration Construction Grant Program—better known among educators in Iowa as Harkin grants for public schools construction and renovation. Across 15 years, Harkin grants worth more than $132 million have helped school districts to fund a range of renovation and repair efforts—everything from updating fire safety systems to building new schools. In many cases, these Federal dollars have served as the needed incentive to leverage local public and private dollars, so it often has a tremendous multiplier effect within a school district. Over the years, Wright County has received $967,434 in Harkin grants. Similarly, schools in Wright County have received funds that I designated for Iowa Star Schools for technology totaling $25,000.

Disaster mitigation and prevention: In 1993, when historic floods ripped through Iowa, it became clear to me that the national emergency-response infrastructure was woefully inadequate to meet the needs of Iowans in flood-ravaged communities. I went to work dramatically expanding the Federal Emergency Management Agency's hazard mitigation program, which helps communities reduce the loss of life and property due to natural disasters and enables mitigation measures to be implemented during the immediate recovery period. Disaster relief means more than helping people and businesses get back on their feet after a disaster, it means doing our best to prevent the same predictable flood or other catastrophe from recurring in the future. The hazard mitigation program that I helped create in 1993 provided critical support to Iowa communities impacted by the devastating floods of 2008. Wright County has received over $5 million to remediate and prevent widespread destruction from natural disasters.

Agricultural and rural development: Because I grew up in a small town in rural Iowa, I have always been a loyal friend and fierce advocate for family farmers and rural communities. I have been a member of the House or Senate Agriculture Committee for 40 years—

including more than 10 years as chairman of the Senate Agriculture Committee. Across the decades, I have championed farm policies for Iowans that include effective farm income protection and commodity programs; strong, progressive conservation assistance for agricultural producers; renewable energy opportunities; and robust economic development in our rural communities. Since 1991, through various programs authorized through the farm bill, Wright County has received more than $22 million from a variety of farm bill loan and grant programs.

Keeping Iowa communities safe: I also firmly believe that our first responders need to be appropriately trained and equipped, able to respond to both local emergencies and to statewide challenges such as, for instance, the methamphetamine epidemic. Since 2001, Wright County's fire departments have received over $168,000 for firefighter safety and operations equipment.

Disability rights: Growing up, I loved and admired my brother Frank, who was deaf. But I was deeply disturbed by the discrimination and obstacles he faced every day. That is why I have always been a passionate advocate for full equality for people with disabilities. As the primary author of the Americans with Disabilities Act, ADA, and the ADA Amendments Act, I have had four guiding goals for our fellow citizens with disabilities: equal opportunity, full participation, independent living and economic self-sufficiency. Nearly a quarter century since passage of the ADA, I see remarkable changes in communities everywhere I go in Iowa not just in curb cuts or closed captioned television, but in the full participation of people with disabilities in our society and economy, folks who at long last have the opportunity to contribute their talents and to be fully included. These changes have increased economic opportunities for all citizens of Wright County, both those with and without disabilities. And they make us proud to be a part of a community and country that respects the worth and civil rights of all of our citizens.

This is at least a partial accounting of my work on behalf of Iowa, and specifically Wright County, during my time in Congress. In every case, this work has been about partnerships, cooperation, and empowering folks at the State and local level, including in Wright County, to fulfill their own dreams and initiatives. And, of course, this work is never complete. Even after I retire from the Senate, I have no intention of retiring from the fight for a better, fairer, richer Iowa. I will always be profoundly grateful for the opportunity to serve the people of Iowa as their Senator.●

TRIBUTE TO JESSICA BARRON

● Mr. RUBIO. Madam President, today I recognize Jessica Barron, a 2013 summer intern in my Washington, DC, office for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Jessica is a rising senior at the University of South Florida in Tampa, FL. Currently, she is majoring in mass communications. Jessica is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Jessica for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO TREVOR IGOE

● Mr. RUBIO. Madam President, today I recognize Trevor Igoe, a 2013 summer intern in my Washington, DC, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Trevor is a graduate of University of Tampa, having majored in government and world affairs. Trevor is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Trevor for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO DAVID FONSECA

● Mr. RUBIO. Madam President, today I recognize David Fonseca, a 2013 summer intern in my Washington, DC, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

David is a freshman at Liberty University in Lynchburg, VA. Currently, he is majoring in political science. David is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to David for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO JONATHAN GODOY

● Mr. RUBIO. Madam President, today I recognize Jonathan Godoy, a 2013 summer intern in my Washington, DC, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Jonathan is a student at the University of Chicago in Chicago, IL. Currently, Jonathan is majoring in political science. Jonathan is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Jonathan for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO SAM GRECO

● Mr. RUBIO. Madam President, today I recognize Sam Greco, a 2013 summer intern in my Washington, DC, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Sam is a junior at Georgetown University in Washington, DC. Currently, he is majoring in international politics. Sam is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Sam for all the fine work he has done and wish him continued success in the years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:51 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4719. An act to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory.

ENROLLED BILL SIGNED

At 6:42 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker had signed the following enrolled bill:

H.R. 1528. An act to amend the Controlled Substances Act to allow a veterinarian to transport and dispense controlled substances in the usual course of veterinary practice outside of the registered location.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 4719. An act to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with

accompanying papers, reports, and documents, and were referred as indicated:

EC–6545. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Commodity Supplemental Food Program (CSFP): Implementation of the Agricultural Act of 2014'' (RIN0584–AE31) received in the Office of the President of the Senate on July 17, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6546. A communication from the Associate Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Revision of Administrative Rules and Regulations Governing Issuance of Additional Allotment Base'' (Docket No. AMS–FV–13–0088; FV14–985–2 FR) received in the Office of the President of the Senate on July 17, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6547. A communication from the Associate Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Oranges and Grapefruit Grown in Lower Rio Grande Valley in Texas; Change in Size and Grade Requirements for Grapefruit'' (Docket No. AMS–FV–14–0015; FV14–906–2 FIR) received in the Office of the President of the Senate on July 17, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6548. A communication from the Associate Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Pistachios Grown in California, Arizona, and New Mexico; Modification of Aflatoxin Regulations'' (Docket No. AMS–FV–12–0068; FV13–983–1 FR) received in the Office of the President of the Senate on July 17, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6549. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Asian Longhorned Beetle; Quarantined Areas in New Jersey'' (Docket No. APHIS–2013–0078) received during adjournment of the Senate in the Office of the President of the Senate on July 18, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6550. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Zoxamide; Pesticide Tolerances'' (FRL No. 9913–35–Region 5) received in the Office of the President of the Senate on July 17, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6551. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Polyoxyalkylated Trimethylopropanes; Tolerance Exemption'' (FRL No. 9912–10) received in the Office of the President of the Senate on July 17, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6552. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to the Foreign Language Skill Proficiency Bonus program; to the Committee on Armed Services.

EC–6553. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to the Department of Defense (DoD) intending to assign women to previously closed positions in the Department of the Navy; to the Committee on Armed Services.

EC–6554. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–6555. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Terry G. Robling, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–6556. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to significant transnational criminal organizations that was established in Executive Order 13581 on July 24, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–6557. A communication from the Chairman of the Federal Deposit Insurance Corporation, transmitting, pursuant to law, the Federal Deposit Insurance Corporation's 2014 Annual Performance Plan; to the Committee on Banking, Housing, and Urban Affairs.

EC–6558. A communication from the Acting General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary, Fair Housing and Equal Opportunity, Department of Housing and Urban Development, received in the Office of the President of the Senate on July 17, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–6559. A communication from the Acting General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, a report relative to a vacancy in the position of Secretary of Housing and Urban Development, received in the Office of the President of the Senate on July 17, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–6560. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Australia; to the Committee on Banking, Housing, and Urban Affairs.

EC–6561. A communication from the Federal Register Certifying Officer, Bureau of Fiscal Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Federal Government Participation in the Automated Clearing House'' (RIN1530–AA05) received during adjournment of the Senate in the Office of the President of the Senate on July 18, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–6562. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program for Consumer Products: Energy Conservation Standards for Residential Furnace Fans'' (RIN1904–AC22) received during adjournment of the Senate in the Office of the President of the Senate on July 18, 2014; to the Committee on Energy and Natural Resources.

EC–6563. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Idaho Franklin County Portion of the Logan Nonattainment Area; Fine Particulate Matter Emissions Inventory'' (FRL No. 9913–97–OAR) received in the Office of the President of the Senate on July 17, 2014; to the Committee on Environment and Public Works.

EC–6564. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Missouri; Control of Nitrogen Oxide Emissions from Large Stationary Internal Combustion Engines'' (FRL No. 9913–79–Region 7) received in the Office of the President of the Senate on July 17, 2014; to the Committee on Environment and Public Works.

EC–6565. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Missouri; Auto Exhaust Emission Controls'' (FRL No. 9913–81–Region 7) received in the Office of the President of the Senate on July 17, 2014; to the Committee on Environment and Public Works.

EC–6566. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Grant County Sulfur Dioxide Limited Maintenance Plan'' (FRL No. 9913–94–Region 6) received in the Office of the President of the Senate on July 17, 2014; to the Committee on Environment and Public Works.

EC–6567. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Texas; Conformity of General Federal Actions'' (FRL No. 9913–92–Region 6) received in the Office of the President of the Senate on July 17, 2014; to the Committee on Environment and Public Works.

EC–6568. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Washington: Infrastructure Requirements for the 2008 Lead National Ambient Air Quality Standards'' (FRL No. 9914–11–OAR) received in the Office of the President of the Senate on July 17, 2014; to the Committee on Environment and Public Works.

EC–6569. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; New York State; Transportation Conformity Regulations'' (FRL No. 9913–73–Region 2) received in the Office of the President of the Senate on July 17, 2014; to the Committee on Environment and Public Works.

EC–6570. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Implementation Plans; Idaho: Portneuf Valley PM10 Maintenance Plan Amendment to the Motor Vehicle Emissions Budgets'' (FRL No. 9913–84–Region 10) received in the Office of the President of the Senate on July 17, 2014; to the Committee on Environment and Public Works.

EC–6571. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Administrative Wage Garnishment'' (FRL No. 9913–63–OCFO) received in the Office of the President of the Senate on July 17, 2014; to the Committee on Environment and Public Works.

EC–6572. A communication from the Administrator, General Services Administration, transmitting, pursuant to law, a lease prospectus that supports the Administration's fiscal year 2015 Capital Investment and Leasing Program; to the Committee on Environment and Public Works.

EC–6573. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Regulation of Fuels and Fuel Additives: RFS Pathways II, and Technical Amendments to the RFS Standards and E15 Misfueling Mitigation Requirements'' ((RIN2060–AR21) (FRL No. 9910–40–OAR)) received in the Office of the President of the Senate on July 17, 2014; to the Committee on Environment and Public Works.

EC–6574. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''RFS Renewable Identification Number (RIN) Quality Assurance Program'' ((RIN2060–AR72) (FRL No. 9906–55–OAR)) received in the Office of the President of the Senate on July 17, 2014; to the Committee on Environment and Public Works.

EC–6575. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Comprehensive Medicaid Integrity Plan for Fiscal Years 2014–2018''; to the Committee on Finance.

EC–6576. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Nonqualified Deferred Compensation from Certain Tax Indifferent Parties'' (Rev. Rul. 2014–18) received during adjournment of the Senate in the Office of the President of the Senate on July 18, 2014; to the Committee on Finance.

EC–6577. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates'' (Notice 2014–43) received during adjournment of the Senate in the Office of the President of the Senate on July 18, 2014; to the Committee on Finance.

EC–6578. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Debt Collection'' (RIN1400–AD60) received during adjournment of the Senate in the Office of the President of the Senate on July 18, 2014; to the Committee on Foreign Relations.

EC–6579. A communication from the Chief of the Border Security Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Closing of the Jamieson Line, New York Border Crossing'' (CBP Dec. 14–08) received in the Office of the President of the Senate on July 17, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–6580. A communication from the Acting District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''District of Columbia Agencies' Compliance with Fiscal Year 2013 Small Business Enterprise Expenditure Goals''; to the Committee on Homeland Security and Governmental Affairs.

EC–6581. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Office's fiscal year 2013 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC–6582. A communication from the General Counsel, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' (29 CFR Part 4022; 29 CFR Part 4044) received in the Office of the President of the Senate on July 16, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–6583. A communication from the Acting Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Final Priorities. National Institute on Disability and Rehabilitation Research—Rehabilitation Research and Training Centers'' (CFDA No. 84.133B–6; CFDA No. 84.133B–7) received during adjournment of the Senate in the Office of the President of the Senate on July 18, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–6584. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt & Whitney Canada Corp. Turboprop Engines'' ((RIN2120–AA64) (Docket No. FAA–2012–0416)) received in the Office of the President of the Senate on July 17, 2014; to the Committee on Commerce, Science, and Transportation.

EC–6585. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–1419)) received during adjournment of the Senate in the Office of the President of the Senate on July 18, 2014; to the Committee on Commerce, Science, and Transportation.

EC–6586. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0724)) received in the Office of the President of the Senate on July 17, 2014; to the Committee on Commerce, Science, and Transportation.

EC–6587. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce plc Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2012–0482)) received in the Office of the President of the Senate on July 17, 2014; to the Committee on Commerce, Science, and Transportation.

EC–6588. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Celebrate The Amboys Fireworks; Raritan Bay, Perth Amboy, NJ'' ((RIN1625–AA00) (Docket No. USCG–2014–0188)) received in the Office of the President of the Senate on July 17, 2014; to the Committee on Commerce, Science, and Transportation.

EC–6589. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''The New York North Shore Helicopter Route'' ((RIN2120–AJ75) (Docket No. FAA–2010–0302)) received in the Office of the President of the Senate on July 15, 2014; to the Committee on Commerce, Science, and Transportation.

EC–6590. A communication from the Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Threatened and Endangered Status for Distinct Population Segments of Scalloped Hammerhead Sharks'' (RIN0648–XA798) received in the Office of the President of the Senate on July 17, 2014; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–317. A resolution adopted by the House of Representatives of the State of Michigan urging the United States Department of Veterans Affairs to follow Federal Housing Administration guidelines as they apply to site condominiums and view them as single-family homes as long as they meet certain criteria; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE RESOLUTION NO. 371

Whereas, Financing condominium ownership using government-backed loans is challenging. Traditional condominium units can be riskier for lenders because of the rights afforded to condominium associations, how associations are structured, and deed restrictions. This has made loans backed by the Federal Housing Administration (FHA) and Department of Veterans Affairs (VA) difficult to obtain unless the condominium development meets occupancy requirements and is approved by the agency; and

Whereas, Site condominiums are single-family condominium developments that have the benefit of reducing some lending risks. Here, condominium units are stand-alone structures similar to single-family dwellings where owners are responsible for the upkeep of the entire structure rather than the interior alone and the association is responsible for maintaining the grounds; and

Whereas, In 2009, the FHA began allowing site condominium buyers in certain non-approved condominium developments to receive FHA financing so long as the development met certain criteria. This included requiring each unit to be a detached single-family unit where the entire structure is considered the condominium unit. The unit owner is also responsible for all insurance and maintenance costs of the structure; and

Whereas, The VA has not yet adopted a similar policy. The FHA's site condominium policy has been beneficial to low- and medium-income home buyers and would be beneficial to veterans as well. Allowing VA-backed loans to finance site condominiums ownership without needing condominium developments to be approved by the agency will help connect elderly and disabled veterans unable to perform day-to-day property maintenance with affordable housing in desirable neighborhoods: Now, therefore, be it

Resolved by the House of Representatives, That we urge the U.S. Department of Veterans Affairs to follow Federal Housing Administration guidelines as they apply to site

condominiums and view them as single-family homes as long as they meet certain criteria; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the Secretary of Veterans Affairs, and the members of the Michigan congressional delegation.

POM–318. A resolution adopted by the House of Representatives of the State of Michigan condemning certain individuals for their violent attacks on civilian targets in Nigeria, and supporting efforts by the President of the United States and the United States Congress to assist the Nigerian government in the safe return of the abducted women and girls in Nigeria, to prevent further attacks, and to promote the human rights of women and girls in Nigeria; to the Committee on Foreign Relations.

HOUSE RESOLUTION NO. 396

Whereas, Boko Haram is an acknowledged militant, terrorist organization. Since 2011, it has claimed responsibility for a series of bombings, killing nearly 4,000 innocent people in Nigeria It has targeted schools, mosques, churches, villages, agricultural centers, and government facilities in its escalating armed campaign to create an Islamic state in northern Nigeria: and

Whereas, On April 14, Boko Haram abducted at gunpoint 276 teenage girls from the Government Girls Secondary School in the Federal Republic of Nigeria. While as least 53 girls immediately escaped, the remaining girls remain missing. Boko Haram has a history of kidnapping girls in the past for use as cooks and sex slaves, and there are reports that the abducted girls have been sold as brides to Islamist militants for the equivalent of $12 each: and

Whereas, In support of the Nigerian government, the United States dispatched drones over Nigeria to search for the abducted girls and deployed 80 soldiers to guard the drone base in nearby Chad. Other nations have also pledged support to help safely bring back the abducted girls. Despite these cooperative efforts, the abducted girls remain missing, and on June 9, Boko Haram abducted at least 20 additional women and girls from a village just miles from the earlier incident: and

Whereas, Boko Haram's increasingly bold attacks must be countered by a strong initiative to recover the abducted women and girls and prevent future attacks. This extremist group represents a growing threat to peace and stability in this region and to the United States' interests in this region. There are legitimate fears that Boko Haram may be emboldened to carry out attacks against Western targets, such as the U.S. Embassy and hotels frequented by Westerners: Now, therefore be it

Resolved by the House of Representatives, That we condemn Boko Haram for its violent attacks on civilian targets in Nigeria and call for the immediate, safe return of the women and girls abducted by them: and be it further

Resolved, That we express strong support for the people of Nigeria, especially the parents and families of the abducted women and girls, and encourage the Nigerian government to strengthen efforts that protect children seeking to obtain an education and to hold those who conduct violent acts against them accountable; and be it further

Resolved, That we support offers of United States assistance to the Nigerian government in the search for the abducted women and girls and courage the U.S. Department of State and the United States Agency for International Development to continue support for initiatives that promote the human rights of women and girls in Nigeria; and be it further

Resolved, That we support our nation's efforts to hold terrorist organizations, such as Boko Haram, accountable and urge the President of the United States to provide a comprehensive strategy to counter the growing threat posed by radical Islamist terrorist groups in West Africa, the Sahel, and North Africa; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–319. A resolution adopted by the House of Representatives of the State of Michigan memorializing the United States Congress to take such actions as are necessary to pass the Helping Families in Mental Health Crisis Act of 2013; to the Committee on Health, Education, Labor, and Pensions.

HOUSE RESOLUTION NO. 388

Whereas, According to the Centers for Disease Control and Prevention, mental illness is defined as ''health conditions that are characterized by alterations in thinking, mood, or behavior (or some combination thereof) associated with distress and/or impaired function.'' The National Institute of Mental Health states, ''While mental disorders are common in the United States, the burden of illness is particularly concentrated among those who experience disability due to serious mental illness (SMI)''; and

Whereas, In a given year, approximately ten million Americans experience serious mental illness, such as schizophrenia, major depression, or bipolar disorder. Furthermore, approximately four million Americans experiencing serious mental illness do not receive treatment in a given year. Laws, regulations, and misinterpretations frequently shut out families attempting to get effective appropriate treatment for their loved ones in a mental health crisis; and

Whereas, There are ten times more individuals with serious mental illness in jails and prisons than in state psychiatric hospitals. Federal laws and billing policies restrict the ability of persons on Medicaid to receive high-quality inpatient and outpatient mental health treatment; and

Whereas, Current spending needs to be more focused on the most effective services and most severe mental illnesses. United States Congressman Tim Murphy of Pennsylvania has introduced the Helping Families in Mental Health Crisis Act of 2013 (H.R. 3717). The act would create a new Assistant Secretary for Mental Health and Substance-Abuse Disorders to coordinate funding between agencies, collect increased data on treatment outcomes, and drive evidence-based care. To address issues regarding the shortage of psychiatric professionals, the Helping Families in Mental Health Crisis Act of 2013 would advance alternatives to inpatient care and prioritize early intervention: Now, therefore, be it

Resolved by the House of Representatives, That we memorialize the United States Congress to take such actions as are necessary to pass the Helping Families in Mental Crisis Act of 2013; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. TESTER, from the Committee on Indian Affairs:

Report to accompany S. 1219, a bill to authorize the Pechanga Band of Luiseno Mission Indians Water Rights Settlement, and for other purposes (Rept. No. 113–215).

By Mr. TESTER, from the Committee on Indian Affairs, without amendment:

S. 1818. A bill to ratify a water settlement agreement affecting the Pyramid Lake Paiute Tribe, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

Army nomination of Maj. Gen. Partrick J. Donahue II, to be Lieutenant General.

Air Force nomination of Col. Lee E. Payne, to be Brigadier General.

Air Force nomination of Col. Ricky N. Rupp, to be Brigadier General.

Air Force nomination of Col. Walter J. Lindsley, to be Brigadier General.

Army nomination of Brig. Gen. John L. Gronski, to be Major General.

Air Force nomination of Brig. Gen. Mark A. Brown, to be Major General.

Air Force nomination of Brig. Gen. Roger W. Teague, to be Major General.

*Marine Corps nomination of Joseph F. Dunford, Jr., to be General.

*Army nomination of Lt. Gen. Joseph L. Votel, to be General.

*Army nomination of Gen. John F. Campbell, to be General.

*Navy nomination of Adm. William E. Gortney, to be Admiral.

Air Force nomination of Maj. Gen. James K. McLaughlin, to be Lieutenant General.

Army nomination of Gen. Daniel B. Allyn, to be General.

Army nomination of Lt. Gen. Mark A. Milley, to be General.

Army nomination of Maj. Gen. Sean B. MacFarland, to be Lieutenant General.

Air Force nomination of Lt. Gen. Lori J. Robinson, to be General.

Air Force nomination of Gen. Herbert J. Carlisle, to be General.

Army nomination of Lt. Gen. Frederick B. Hodges, to be Lieutenant General.

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nominations beginning with John T. Aalborg, Jr. and ending with Michael A. Zrostlik, which nominations were received by the Senate and appeared in the Congressional Record on May 7, 2014.

Air Force nominations beginning with Roy G. Allen III and ending with John M. Williamson, which nominations were received by the Senate and appeared in the Congressional Record on May 7, 2014.

Air Force nomination of Mark D. Levin, to be Lieutenant Colonel.

Air Force nominations beginning with Craig H. Rhyne and ending with David E.

Vizurraga, which nominations were received by the Senate and appeared in the Congressional Record on July 14, 2014.

Air Force nominations beginning with Steven E. Koehl and ending with Christopher Young, which nominations were received by the Senate and appeared in the Congressional Record on July 14, 2014.

Army nominations beginning with Curtis L. Abendroth and ending with Michael J. Wise, which nominations were received by the Senate and appeared in the Congressional Record on June 26, 2014.

Army nomination of Brian C. Copeland, to be Colonel.

Army nominations beginning with Paul E. Linzey and ending with Gary L. Taylor, which nominations were received by the Senate and appeared in the Congressional Record on June 26, 2014.

Army nominations beginning with Joel R. Burke and ending with Michael J. Wright, which nominations were received by the Senate and appeared in the Congressional Record on June 26, 2014.

Army nomination of Norman A. Hetzler, to be Colonel.

Army nominations beginning with Steven F. Finder and ending with Daniel H. Aldana, which nominations were received by the Senate and appeared in the Congressional Record on June 26, 2014.

Army nomination of Jason S. Hetzel, to be Major.

Army nomination of Felipe O. Blanding, Sr., to be Major.

Army nomination of Douglas T. Mo, to be Major.

Army nomination of Ruben J. Vazquez, to be Major.

Navy nomination of Jody M. Powers, to be Commander.

Navy nomination of James R. Powers, Jr., to be Lieutenant Commander.

Navy nomination of Christopher D. Snyder, to be Lieutenant Commander.

Navy nomination of Richard Jimenez, Jr., to be Lieutenant Commander.

Navy nominations beginning with Jaime A. Quejada and ending with Stephen S. Donohoe, which nominations were received by the Senate and appeared in the Congressional Record on June 26, 2014.

Navy nomination of Timika B. Lindsay, to be Captain.

Navy nomination of Christopher A. Middleton, to be Captain.

Navy nominations beginning with Joseph S. Gondusky and ending with Hasan A. Hobbs, which nominations were received by the Senate and appeared in the Congressional Record on July 14, 2014.

Navy nomination of Richard A. Portillo, to be Commander.

Navy nomination of Henry S. Thrift III, to be Lieutenant Commander.

Navy nomination of Leah M. Tunnell, to be Lieutenant Commander.

Navy nomination of Travelyan M. Walker, to be Lieutenant Commander.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. PRYOR (for himself, Mr. VITTER, Mr. SCHUMER, Mr. MENENDEZ, Mr. BENNET, Ms. LANDRIEU, Mr. UDALL of Colorado, Mrs. GILLIBRAND, Mr. ROCKEFELLER, and Mr. BOOKER):

S. 2634. A bill to provide tax relief for major disaster areas declared in 2012, 2013, and 2014, and for other purposes; to the Committee on Finance.

By Mr. CORNYN (for himself, Mr. INHOFE, Mr. ENZI, and Mr. MORAN):

S. 2635. A bill to amend the Endangered Species Act of 1973 to require publication on the Internet of the basis for determinations that species are endangered species or threatened species, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BEGICH (for himself and Ms. MURKOWSKI):

S. 2636. A bill to amend the Internal Revenue Code of 1986 to encourage charitable contributions of real property for conservation purposes by Native Corporations; to the Committee on Finance.

By Mr. LEVIN:

S. 2637. A bill to modify the small business intermediary lending program; to the Committee on Small Business and Entrepreneurship.

By Mr. HOEVEN:

S. 2638. A bill to amend the Natural Gas Act to provide certainty with respect to the timing of Department of Energy decisions to approve or deny applications to export natural gas; to the Committee on Energy and Natural Resources.

By Ms. BALDWIN:

S. 2639. A bill to amend title 38, United States Code, to increase the number of graduate medical education residency positions at medical facilities of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CARPER (for himself and Mr. COBURN):

S. 2640. A bill to amend title 44, United States Code, to require information on contributors to Presidential library fundraising organizations, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. LANDRIEU:

S. 2641. A bill to amend the Truth in Lending Act to provide that residential mortgage loans held in portfolio qualify and qualified mortgages for purposes of the presumption of the ability to repay requirements under such Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HARKIN (for himself, Ms. WARREN, and Mr. BROWN):

S. 2642. A bill to permit employees to request changes to their work schedules without fear of retaliation, and to ensure that employers consider these requests; and to require employers to provide more predictable and stable schedules for employees in certain growing low-wage occupations, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BOOKER (for himself and Mrs. FISCHER):

S. 2643. A bill to require a report by the Federal Communications Commission on designated market areas; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. REED (for himself and Mr. WHITEHOUSE):

S. Res. 510. A resolution congratulating the Newport Jazz Festival on its 60th anniversary; considered and agreed to.

By Mr. SCOTT (for himself, Mr. PAUL, Mrs. FISCHER, Mr. PORTMAN, Mr. PRYOR, and Mr. RUBIO):

S. Res. 511. A resolution establishing best business practices to fully utilize the potential of the United States; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 15

At the request of Mr. PAUL, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 15, a bill to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law.

S. 114

At the request of Mr. DURBIN, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 114, a bill to amend title 11, United States Code, with respect to certain exceptions to discharge in bankruptcy.

S. 240

At the request of Mr. TESTER, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 240, a bill to amend title 10, United States Code, to modify the per-fiscal year calculation of days of certain active duty or active service used to reduce the minimum age at which a member of a reserve component of the uniformed services may retire for nonregular service.

S. 315

At the request of Ms. KLOBUCHAR, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 315, a bill to reauthorize and extend the Paul D. Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008.

S. 544

At the request of Mr. HARKIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 544, a bill to require the President to develop a comprehensive national manufacturing strategy, and for other purposes.

S. 553

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 553, a bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs.

S. 641

At the request of Mr. WYDEN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 641, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic

medical schools, nursing schools, and other programs, to promote education in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 714

At the request of Mr. GRASSLEY, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 714, a bill to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, and for other purposes.

S. 759

At the request of Mr. MORAN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 759, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Forces for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 896

At the request of Mr. BEGICH, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 896, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 1040

At the request of Mr. PORTMAN, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 1040, a bill to provide for the award of a gold medal on behalf of Congress to Jack Nicklaus, in recognition of his service to the Nation in promoting excellence, good sportsmanship, and philanthropy.

S. 1224

At the request of Mr. CARDIN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1224, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on account of claims based on certain unlawful discrimination and to allow income averaging for backpay and frontpay awards received on account of such claims, and for other purposes.

S. 1330

At the request of Mr. BEGICH, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1330, a bill to delay the implementation of the employer responsibility provisions of the Patient Protection and Affordable Care Act.

S. 1332

At the request of Ms. COLLINS, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1332, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 1349

At the request of Mr. MORAN, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 1349, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 1507

At the request of Mr. MORAN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1507, a bill to amend the Internal Revenue Code of 1986 to clarify the treatment of general welfare benefits provided by Indian tribes.

S. 1739

At the request of Mr. HOEVEN, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 1739, a bill to modify the efficiency standards for grid-enabled water heaters.

S. 2033

At the request of Mr. KAINE, his name was added as a cosponsor of S. 2033, a bill to amend the Higher Education Act of 1965 in order to allow the Secretary of Education to award job training Federal Pell Grants.

S. 2154

At the request of Mr. HATCH, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 2154, a bill to amend the Public Health Service Act to reauthorize the Emergency Medical Services for Children Program.

S. 2188

At the request of Mr. TESTER, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2188, a bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes.

S. 2301

At the request of Mr. HATCH, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2301, a bill to amend section 2259 of title 18, United States Code, and for other purposes.

S. 2340

At the request of Mr. KAINE, his name was added as a cosponsor of S. 2340, a bill to amend the Higher Education Act of 1965 to require the Secretary to provide for the use of data from the second preceding tax year to carry out the simplification of applications for the estimation and determination of financial aid eligibility, to increase the income threshold to qualify for zero expected family contribution, and for other purposes.

S. 2406

At the request of Mr. REED, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 2406, a bill to amend title XII of the Public Health Service Act to expand the definition of trauma to include thermal, electrical, chemical, radioactive, and other extrinsic agents.

S. 2441

At the request of Mr. REED, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2441, a bill to extend the same Federal benefits to law enforcement officers serving private institutions of higher education and rail carriers that apply to law enforcement officers serving units of State and local government.

S. 2449

At the request of Mr. MENENDEZ, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2449, a bill to reauthorize certain provisions of the Public Health Service Act relating to autism, and for other purposes.

S. 2508

At the request of Mr. MENENDEZ, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 2508, a bill to establish a comprehensive United States Government policy to assist countries in sub-Saharan Africa to improve access to and the affordability, reliability, and sustainability of power, and for other purposes.

S. 2539

At the request of Mr. HATCH, the names of the Senator from Illinois (Mr. KIRK) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 2539, a bill to amend the Public Health Service Act to reauthorize certain programs relating to traumatic brain injury and to trauma research.

S. 2543

At the request of Mrs. SHAHEEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2543, a bill to support afterschool and out-of-school-time science, technology, engineering, and mathematics programs, and for other purposes.

S. 2549

At the request of Ms. KLOBUCHAR, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2549, a bill to amend the Federal Food, Drug, and Cosmetic Act to allow for the personal importation of safe and affordable drugs from approved pharmacies in Canada.

S. 2569

At the request of Mr. WALSH, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2569, a bill to provide an incentive for businesses to bring jobs back to America.

S. 2581

At the request of Mr. NELSON, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2581, a bill to require the Consumer Product Safety Commission to promulgate a rule to require child safety packaging for liquid nicotine containers, and for other purposes.

S. 2607

At the request of Mr. BOOKER, the names of the Senator from Louisiana (Ms. LANDRIEU), the Senator from Arizona (Mr. MCCAIN), the Senator from Arkansas (Mr. PRYOR) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 2607, a bill to

extend and modify the pilot program of the Department of Veterans Affairs on assisted living services for veterans with traumatic brain injury, and for other purposes.

S. 2611

At the request of Mr. CORNYN, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 2611, a bill to facilitate the expedited processing of minors entering the United States across the southern border and for other purposes.

S. 2624

At the request of Mrs. SHAHEEN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2624, a bill to provide additional visas for the Afghan Special Immigrant Visa Program, and for other purposes.

S. 2631

At the request of Mr. CRUZ, the names of the Senator from Louisiana (Mr. VITTER) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 2631, a bill to prevent the expansion of the Deferred Action for Childhood Arrivals program unlawfully created by Executive memorandum on August 15, 2012.

S. 2633

At the request of Mr. JOHANNS, the names of the Senator from West Virginia (Mr. MANCHIN), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 2633, a bill to require notification of a Governor of a State if an unaccompanied alien child is placed in a facility or with a sponsor in the State and for other purposes.

S.J. RES. 38

At the request of Mr. RUBIO, the names of the Senator from Texas (Mr. CORNYN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S.J. Res. 38, a joint resolution conferring honorary citizenship of the United States on Bernardo de Galvez y Madrid, Viscount of Galveston and Count of Galvez.

S. RES. 420

At the request of Ms. MIKULSKI, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. Res. 420, a resolution designating the week of October 6 through October 12, 2014, as ''Naturopathic Medicine Week'' to recognize the value of naturopathic medicine in providing safe, effective, and affordable health care.

S. RES. 499

At the request of Mr. MANCHIN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. Res. 499, a resolution congratulating the American Motorcyclist Association on its 90th Anniversary.

AMENDMENT NO. 3377

At the request of Mr. LEVIN, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of amendment No. 3377 intended to be proposed to S. 2410, an original bill to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN (for himself, Mr. INHOFE, Mr. ENZI, and Mr. MORAN):

S. 2635. A bill to amend the Endangered Species Act of 1973 to require publication on the Internet of the basis for determinations that species are endangered species or threatened species, and for other purposes; to the Committee on Environment and Public Works.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2635

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''21st Century Endangered Species Transparency Act''.

SEC. 2. REQUIREMENT TO PUBLISH ON INTERNET BASIS FOR LISTINGS.

Section 4(b) of the Endangered Species Act (16 U.S.C. 1533(b)) is amended by adding at the end the following:

''(9) PUBLICATION ON INTERNET OF BASIS FOR LISTINGS.—The Secretary shall make publicly available on the Internet the best scientific and commercial data available that are the basis for each regulation, including each proposed regulation, promulgated under subsection (a)(1), except that, at the request of a Governor or legislature of a State, the Secretary shall not make available under this paragraph information regarding which the State has determined public disclosure is prohibited by a law of that State relating to the protection of personal information.''.

By Mr. LEVIN:

S. 2637. A bill to modify the small business intermediary lending program; to the Committee on Small Business and Entrepreneurship.

Mr. LEVIN. Mr. President, today I am introducing the Small Business Intermediary Lending Program Act of 2014.

This bill would make permanent a successful small business financing program which provides startups and growing small businesses with access to capital. As a long-time member of the Small Business and Entrepreneurship Committee, I have been a strong supporter of efforts to help small firms expand and thrive so they can create jobs and grow the economy.

The need for creative and effective ways to expand access to capital for small businesses is greater than ever. According to a study issued by the Brookings Institute in May, entrepreneurship is experiencing a troubling decline in the United States, a trend the authors document over the last 30 years, across all 50 States and almost all metropolitan areas. They conclude that we need to pursue policies that better foster entrepreneurship if we want to create more jobs.

One way we can foster entrepreneurship and address the lingering unemployment affecting so many of our communities is to make permanent the Small Business Intermediary Lending Pilot Program.

I proposed and helped enact the Intermediary Lending Pilot Program into law in 2010. Over the last three years, the program has provided loans of $1 million to nonprofit intermediary lenders to make small to mid-sized loans to small businesses. The program gets financing to small businesses that are not being served by banks or conventional loan programs currently available through the Small Business Administration. Small businesses seeking this flexible debt financing may have graduated from the Small Business Administration's Microloan Program, and for a variety of reasons, especially lack of adequate collateral, do not qualify for guaranteed 7(a) loans or other private capital.

Given the slow economic recovery, high demand exists for the Intermediary Lending Pilot Program. In the short life of the program, intermediaries in 20 States across the country have already made more than 300 small business loans, totaling more than $26 million. If not for the Intermediary Lending Pilot Program, the small businesses receiving these loans would have been hard-pressed to find this financing elsewhere. Almost 90 percent of the loans were in the $50,000–$200,000 range, making these loans larger than microloans. The average loan size in the pilot has been about $88,000.

The loans facilitated by the Intermediary Lending Program have done more than help small businesses; they have created or retained thousands of jobs. Building on this success and keeping the program going will strengthen our economy, get small businesses sorely-needed capital, and catalyze job creation.

Merit Hall, a full service staffing firm located in downtown Detroit, provides services and staffing to construction, landscape and facility maintenance contractors throughout southeastern Michigan. In 2013, Merit Hall received a $200,000 ILP loan to support the company's growth. Merit Hall used those funds to retain and create 10 office jobs and 300 jobs in the field. In addition, this loan allowed Merit Hall to grow their revenues to the point where they were bankable and were able to receive a $350,000 loan from a commercial bank and pay off their ILP loan.

Rubber Technologies of Coleman, Michigan, recycles tires to create premium recycled products such as playground surfacing and rubber mats. The Intermediary Lending Program loan they received will help strengthen their business, allowing them to add

equipment and retain 12 jobs. Roaming Harvest, a small business in Traverse City, Michigan, started out as a food truck and now thanks to a loan from the Intermediary Pilot program has opened a café featuring local food, retaining two jobs and creating two new jobs.

These small loans can add up. An intermediary lender in the state of Washington, Craft3, has already made 34 loans through the program and created 98 jobs as a result.

Intermediary lenders do more than provide loans; they provide technical assistance and counseling which often does not accompany conventional loans, helping business owners start and grow successful enterprises.

The Intermediary Lending Program is modeled after the U.S. Department of Agriculture's Rural Development Loan Program, which has existed since 1988. Like the USDA program, this SBA counterpart is a decentralized initiative relying on the capacity and market expertise of local, nonprofit intermediary lenders, but it expands this approach, serving both rural and urban areas.

The legislation I am introducing today makes the Intermediary Lending Program permanent and authorizes a funding level of $20 million for each of the next three fiscal years. The legislation authorizes nonprofit lending intermediaries, chosen on a competitive basis, to participate in the program. As in the pilot, each intermediary will receive a loan of up to $1 million at a low interest rate to create a revolving loan fund through which they will make small business loans.

The nonprofit lenders who participate in this program already tap a variety of financing programs to meet the needs of the small businesses in their states and localities. SBA has observed that one of the benefits of the Intermediary Lending Program as compared to the Microloan Program is the longer repayment term, 20 years versus 10 years, respectively. This patient capital helps to facilitate larger loans that some businesses need, up to $200,000, and it allows the revolving loan fund to revolve about 2.5 times before the intermediary fully repays the initial SBA loan.

In addition to authorizing the program, this bill makes a technical correction to the language of the pilot program. While the pilot program limited the amount that an intermediary can borrow under the Intermediary Lending Program to $1 million, it did not intend to take into account money an intermediary borrowed through other SBA programs. Unfortunately, SBA interpreted the language in a way that placed an overall cap on how much a participating intermediary can borrow from the SBA under all SBA programs. The result was that more experienced lenders with higher loan volumes, especially many strong microlenders, were unable to participate. That was simply not the intent of Congress. Rather, this program was designed to complement the microloan and 7(a) programs and add another tool to the portfolio of nonprofit community-based lenders. The bill I am introducing today changes the language to clarify our intent, maintains the $1 million loan limit, and increases the overall amount intermediaries can have outstanding from SBA under the Intermediary Lending Program to $5 million.

The Intermediary Lending Program is a small program which has already made a big difference. It is modeled on a program which has been operating successfully for almost 30 years, and it shields the government from any risks involved in lending to small businesses by having experienced intermediaries take on that risk. As we all look for ways to bolster our economy, we should build on this record of success. The Intermediary Lending Pilot is addressing a lending gap and helping create jobs across the nation. If we adopt my legislation, this program will continue to be an engine for small business growth. I urge its swift enactment.

By Ms. LANDRIEU:

S. 2641. A bill to amend the Truth in Lending Act to provide that residential mortgage loans held in portfolio qualify and qualified mortgages for purposes of the presumption of the ability to repay requirements under such Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Ms. LANDRIEU. Mr. President, I come to the floor today to discuss the importance of community banks to our financial system and economy. Community banks are critical to the economic recovery and success of our local economies and small businesses. As our Nation continues to recover from the worst recession since the Great Depression, we need to do everything possible to provide measured, targeted regulatory relief for community banks, who were not part of the problem during the financial crisis.

America's nearly 7,000 community banks are the primary source of lending for our Nation's small businesses and farms. Though they compose just 10 percent of the banking industry by assets, community banks make over 57 percent of outstanding bank loans to small businesses. In Louisiana, we have approximately 140 community banks. These institutions are vital parts of their local communities; their boards are often made up of local citizens who are personally invested in advancing the interests of the towns and cities in which they live.

Today I am offering a very simple, common sense provision that would cut back on some of the onerous regulations community banks are facing without compromising the safety and soundness of our financial system or important consumer protections. The Consumer Financial Protection Bureau, CFPB, released its final rule on consumers' ability to repay mortgage loans under Dodd-Frank in January 2013. The final rule, implemented in 2014, defines the qualities of a ''qualified mortgage'', QM, which presume that the lender has satisfied the ability to repay requirements. While I was encouraged by many aspects of the rules, I feel there is more to be done to ensure that community banks and Main Street lenders are not stifled by onerous regulations.

My bill will allow any residential mortgage held in portfolio by lenders with less than $10 billion in total assets to qualify as a ''qualified mortgage.'' A strong indication of a bank's view of the credit risk of a loan is the decision to hold a loan in portfolio. When a bank holds a loan in portfolio, rather than selling in on the secondary market, it assumes 100 percent of the credit risk, so it has the incentive to ensure that each and every loan is well underwritten and affordable to the borrower. Community banks are in the business of knowing their borrowers, understanding their ability to repay and structuring loans accordingly. This protects the financial health of borrowers, lenders, and the economy as a whole.

I am proud to also serve as a cosponsor of S. 1349, the Community Lending Enhancement and Regulatory, CLEAR, Relief Act, which was introduced by my colleagues, Senators MORAN and TESTER and contains a number of other regulatory relief measures for small and community-based lenders. I encourage my colleagues to support these provisions to help community banks serve their customers, protecting the well-being of borrowers, and spur economic growth in local communities across the Nation.

By Mr. HARKIN (for himself, Ms. WARREN, and Mr. BROWN):

S. 2642. A bill to permit employees to request changes to their work schedules without fear of retaliation, and to ensure that employers consider these requests; and to require employers to provide more predictable and stable schedules for employees in certain growing low-wage occupations, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President, I want to bring to our attention a large and growing problem laced by American workers today that has negative consequences for working families and our national economy. They are hourly service workers holding jobs that we all rely on—the folks who are serving customers in stores and restaurants, who are cleaning our offices and hotels, who are making sure that shelves are stocked, food is cooked properly, and businesses run smoothly. They are also white collar workers: professionals, managers, teachers, and more. All of these workers want to go to work and be successful at their jobs. But today, too many do not have access to one of

the most basic parts of a job: a stable, predictable schedule.

For hourly service workers, jobs are often scheduled on a ''just in time'' basis. This means that schedules are given out last minute, workers are often required to be on call, and schedules and the number of assigned hours vary week to week and month to month. Schedules are often made with no input from workers or consideration for family needs or even sleep time. A worker may have 8 hours of work one week, 24 hours the next week, and no hours for the next two weeks. A worker may have the night shift followed by the day shift, or a split shift with a few hours in the morning and a few more hours in the evening. A worker may show up after arranging and paying for child care and taking a 2 hour trip by public transportation, only to be sent home for lack of work. Assigned time on schedules is a perk, while being left off the schedule is a punishment.

These abusive scheduling practices mean that workers often can't predict their income, which makes it very difficult to budget and pay bills. It also wreaks havoc on family life. Working parents can't be home for family dinner, help with afternoon homework, or put kids to bed. Workers with elderly parents or relatives who are in need of care cannot be available when they are needed. And the inability to predict a schedule means that taking classes or getting a second job to further one's career or increase income become difficult to impossible. And yet, because these practices have become so common among hourly service jobs, moving to a different job is not an option. Workers are simply stuck.

Meanwhile, white collar workers are working longer than ever. They have to stay late long into the night and come in on the weekends. If they want a 40–hour workweek or time with family, they are too often criticized as uncommitted to the job. They, too, miss family dinners and other family events. They, too, are unable to be with children or elders when their care is required.

What these workers have in common is their lack of control over their hours and their schedules. That is why I have joined with Senator WARREN and Representatives GEORGE MILLER and ROSA DELAURO to introduce the ''Schedules That Work Act.'' This bill will help workers to meet scheduling challenges in ways that respect their needs and the needs of businesses.

First, the bill will allow all workers, both hourly and salaried in any job or industry, to make requests about their schedules, and it will prohibit retaliation against them for doing so. Employers will be required to engage in an interactive process in response to scheduling requests—much like that required to determine reasonable accommodations under the Americans with Disabilities Act. An employer has to consider a request, consider alternatives, and provide an answer to a worker's request. Certain requests will have some extra consideration: if an employee makes a request because of caregiving duties, to deal with a serious health condition, to take a career-related training or education course, or to meet the demands of a second job in the case of part-time workers, then an employer must have a bona fide business reason to deny the request. This ''right to request'' will open a line of communication that ensures workers have a voice but respects employers' business needs.

Second, the Schedules That Work Act will ensure that workers in retail, food service, and janitorial and cleaning jobs are paid when they are required to report in or be on call. If a worker is scheduled for at least four hours and reports to work, the worker must be paid for at least four hours, even if she is sent home early. An employer will have to provide an extra hour's pay if he requires an employee to be on call. If an employer schedules a ''split shift''—with non-consecutive shifts within a single day—a worker will earn an extra hour's pay.

Finally, this bill will require 2 weeks' advance notice of schedules for workers in retail, food service, and janitorial jobs. If changes are made with less than 24 hours' notice, employers will be required to provide an extra hour's pay. While employers can continue to make changes to schedules, we hope that this requirement will reduce the chaos that can be created by continual last-minute scheduling.

A schedule should be a basic part of almost any job. Predictability and stability in hours helps workers meet their personal and family demands. In turn, workers are more likely to stay in their jobs, reducing the expensive turnover that can cost businesses dearly A simple consideration like advance notice of a schedule goes a long way toward creating good will, fostering loyalty, and raising morale among employees.

What this bill is really about, at its heart, is respect. Respect for workers' lives and businesses' needs. I encourage all of my Senate colleagues to join me on this bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the Record.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2642

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; FINDINGS.

(a) SHORT TITLE.—This Act may be cited as the ''Schedules That Work Act''.

(b) FINDINGS.—Congress finds the following:

(1) The vast majority of the United States workforce today is juggling responsibilities at home and at work. Women are primary breadwinners or co-breadwinners in 63 percent of families in the United States and 26 percent of families with children are headed by single mothers.

(2) Despite the dual responsibilities of today's workforce, workers across the income spectrum have very little ability to make changes to their work schedules when those changes are needed to accommodate family responsibilities. Only 27 percent of employers allow all or most of their employees to periodically change their starting and quitting times.

(3) Although low-wage workers are most likely to be raising children on their own, as more than half of mothers of young children in low-wage jobs are doing, low-wage workers have the least control over their work schedules and the most unpredictable schedules. For example—

(A) roughly half of low-wage workers reported very little or no control over the timing of the hours they were scheduled to work;

(B) many workers in low-wage jobs receive their schedules with very little advance notice and have work hours that vary significantly from week to week or month to month;

(C) some workers in low-wage jobs are sent home from work when work is slow without being paid for their scheduled shift;

(D) in some industries, the use of ''call-in shift'' requirements—requirements that workers call in to work to find out whether they will be scheduled to work later that day—has become common practice; and

(E) at the same time, 20 to 30 percent of workers in low-wage jobs struggle with being required to work extra hours with little or no notice.

(4) Unfair work scheduling practices make it difficult for low-wage workers to—

(A) provide necessary care for children and other family members, including arranging child care;

(B) qualify for and maintain eligibility for child care subsidies, due to fluctuations in income and work hours, or keep an appointment with a child care provider, due to not knowing how many hours or when the workers will be scheduled to work;

(C) pursue workforce training;

(D) get or keep a second job that some part-time workers need to make ends meet; and

(E) arrange transportation to and from work.

(5) Unpredictable and unstable schedules are prevalent in retail sales, food preparation and service, and building cleaning occupations, which are among the lowest-paid and fastest-growing occupations in the workforce today. For workers in those occupations, often difficult and sometimes abusive work scheduling practices combine with very low wages to make it extremely challenging to make ends meet.

(6) Retail sales, food preparation and service, and building cleaning occupations are among those most likely to have unpredictable and unstable schedules. According to data from the Bureau of Labor Statistics, 66 percent of food service workers, 52 percent of retail workers, and 40 percent of janitors and housekeepers know their schedules only a week or less in advance. The average variation in work hours in a single month is 70 percent for food service workers, 50 percent for retail workers, and 40 percent for janitors and housekeepers.

(7) Those are among the lowest-paid and fastest-growing occupations, accounting for 18 percent of workers in the economy, some 23,500,000 workers. The median pay for workers in those 3 occupations is between $9.15 and $10.44 per hour, and women make up more than half of the workers in those occupations.

(8) Employers that have implemented fair work scheduling policies that allow workers

to have more control over their work schedules, and provide more predictable and stable schedules, have experienced significant benefits, including reductions in absenteeism and workforce turnover, and increased employee morale and engagement.

(9) This Act is a first step in responding to the needs of workers for a voice in the timing of their work hours and for more predictable schedules.

SEC. 2. DEFINITIONS.

As used in this Act:

(1) BONA FIDE BUSINESS REASON.—The term ''bona fide business reason'' means—

(A) the identifiable burden of additional costs to an employer, including the cost of productivity loss, retraining or hiring employees, or transferring employees from one facility to another facility;

(B) a significant detrimental effect on the employer's ability to meet organizational needs or customer demand;

(C) a significant inability of the employer, despite best efforts, to reorganize work among existing (as of the date of the reorganization) staff;

(D) a significant detrimental effect on business performance;

(E) insufficiency of work during the periods an employee proposes to work;

(F) the need to balance competing scheduling requests when it is not possible to grant all such requests without a significant detrimental effect on the employer's ability to meet organizational needs; or

(G) such other reason as may be specified by the Secretary of Labor (or the corresponding administrative officer specified in section 8).

(2) CAREER-RELATED EDUCATIONAL OR TRAINING PROGRAM.—The term ''career-related educational or training program'' means an educational or training program or program of study offered by a public, private, or nonprofit career and technical education school, institution of higher education, or other entity that provides academic education, career and technical education, or training (including remedial education or English as a second language, as appropriate), that is a program that leads to a recognized postsecondary credential (as identified under section 122(d) of the Workforce Innovation and Opportunity Act), and provides career awareness information. The term includes a program allowable under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.), the Workforce Innovation and Opportunity Act, the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.), or the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), without regard to whether or not the program is funded under the corresponding Act.

(3) CAREGIVER.—The term ''caregiver'' means an individual with the status of being a significant provider of—

(A) ongoing care or education, including responsibility for securing the ongoing care or education, of a child; or

(B) ongoing care, including responsibility for securing the ongoing care, of—

(i) a person with a serious health condition who is in a family relationship with the individual; or

(ii) a parent of the individual, who is age 65 or older.

(4) CHILD.—The term ''child'' means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis to that child, who is—

(A) under age 18; or

(B) age 18 or older and incapable of self-care because of a mental or physical disability.

(5) COVERED EMPLOYER.—

(A) IN GENERAL.—The term ''covered employer''—

(i) means any person engaged in commerce or in any industry or activity affecting commerce who employs 15 or more employees (described in paragraph (7)(A));

(ii) includes any person who acts, directly or indirectly, in the interest of such an employer to any of the employees (described in paragraph (7)(A)) of such employer;

(iii) includes any successor in interest of such an employer; and

(iv) includes an agency described in subparagraph (A)(iii) of section 101(4) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611(4)), to which subparagraph (B) of such section shall apply.

(B) RULE.—For purposes of determining the number of employees who work for a person described in subparagraph (A)(i), all employees (described in paragraph (7)(A)) performing work for compensation on a full-time, part-time, or temporary basis shall be counted, except that if the number of such employees who perform work for such a person for compensation fluctuates, the number may be determined for a calendar year based upon the average number of such employees who performed work for the person for compensation during the preceding calendar year.

(C) PERSON.—In this paragraph, and paragraph (7), the term ''person'' has the meaning given the term in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203).

(6) DOMESTIC PARTNER.—The term ''domestic partner'' means the person recognized as being in a relationship with an employee under any domestic partnership, civil union, or similar law of the State or political subdivision of a State in which the employee resides.

(7) EMPLOYEE.—The term ''employee'' means an individual who is—

(A) an employee, as defined in section 3(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(e)), who is not described in any of subparagraphs (B) through (G);

(B) a State employee described in section 304(a) of the Government Employee Rights Act of 1991 (42 U.S.C. 2000e-16c(a));

(C) a covered employee, as defined in section 101 of the Congressional Accountability Act of 1995 (2 U.S.C. 1301), other than an applicant for employment;

(D) a covered employee, as defined in section 411(c) of title 3, United States Code;

(E) a Federal officer or employee covered under subchapter V of chapter 63 of title 5, United States Code;

(F) an employee of the Library of Congress; or

(G) an employee of the Government Accountability Office.

(8) EMPLOYER.—The term ''employer'' means a person—

(A) who is—

(i) a covered employer, as defined in paragraph (4), who is not described in any of clauses (ii) through (vii);

(ii) an entity employing a State employee described in section 304(a) of the Government Employee Rights Act of 1991;

(iii) an employing office, as defined in section 101 of the Congressional Accountability Act of 1995;

(iv) an employing office, as defined in section 411(c) of title 3, United States Code;

(v) an employing agency covered under subchapter V of chapter 63 of title 5, United States Code;

(vi) the Librarian of Congress; or

(vii) the Comptroller General of the United States; and

(B) who is engaged in commerce (including government), in the production of goods for commerce, or in an enterprise engaged in commerce (including government) or in the production of goods for commerce.

(9) FAMILY RELATIONSHIP.—The term ''family relationship'' means a relationship with a child, spouse, domestic partner, parent, grandchild, grandparent, sibling, or parent of a spouse or domestic partner.

(10) GRANDCHILD.—The term ''grandchild'' means the child of a child.

(11) GRANDPARENT.—The term ''grandparent'' means the parent of a parent.

(12) MINIMUM NUMBER OF EXPECTED WORK HOURS.—The term ''minimum number of expected work hours'' means the minimum number of hours an employee will be assigned to work on a weekly or monthly basis.

(13) PARENT.—The term ''parent'' means a biological or adoptive parent, a stepparent, or a person who stood in a parental relationship to an employee when the employee was a child.

(14) PARENTAL RELATIONSHIP.—The term ''parental relationship'' means a relationship in which a person assumed the obligations incident to parenthood for a child and discharged those obligations before the child reached adulthood.

(15) PART-TIME EMPLOYEE.—The term ''part-time employee'' means an individual who works fewer than 30 hours per week on average during any 1-month period.

(16) RETAIL, FOOD SERVICE, OR CLEANING EMPLOYEE.—

(A) IN GENERAL.—The term ''retail, food service, or cleaning employee'' means an individual employee who is employed in any of the following occupations, as described by the Bureau of Labor Statistics Standard Occupational Classification System (as in effect on the day before the date of enactment of this Act):

(i) Retail sales occupations consisting of occupations described in 41–1010 and 41–2000, and all subdivisions thereof, of such System, which includes first-line supervisors of sales workers, cashiers, gaming change persons and booth cashiers, counter and rental clerks, parts salespersons, and retail salespersons.

(ii) Food preparation and serving related occupations as described in 35–0000, and all subdivisions thereof, of such System, which includes supervisors of food preparation and serving workers, cooks and food preparation workers, food and beverage serving workers, and other food preparation and serving related workers.

(iii) Building cleaning occupations as described in 37–2011, 37–2012 and 37–2019 of such System, which includes janitors and cleaners, maids and housekeeping cleaners, and building cleaning workers.

(B) EXCLUSIONS.—Notwithstanding subparagraph (A), the term ''retail, food service, or cleaning employee'' does not include any person employed in a bona fide executive, administrative, or professional capacity, as defined for purposes of section 13(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(a)(1)).

(17) SECRETARY.—The term ''Secretary'' means the Secretary of Labor.

(18) SERIOUS HEALTH CONDITION.—The term ''serious health condition'' has the meaning given the term in section 101 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611).

(19) SIBLING.—The term ''sibling'' means a brother or sister, whether related by half blood, whole blood, or adoption, or as a stepsibling.

(20) SPLIT SHIFT.—The term ''split shift'' means a schedule of daily hours in which the hours worked are not consecutive, except that—

(A) a schedule in which the total time out for meals does not exceed one hour shall not be treated as a split shift; and

(B) a schedule in which the break in the employee's work shift is requested by the employee shall not be treated as a split shift.

(21) SPOUSE.—

(A) IN GENERAL.—The term ''spouse'' means a person with whom an individual entered into—

(i) a marriage as defined or recognized under State law in the State in which the marriage was entered into; or

(ii) in the case of a marriage entered into outside of any State, a marriage that is recognized in the place where entered into and could have been entered into in at least 1 State.

(B) SAME-SEX OR COMMON LAW MARRIAGE.—Such term includes an individual in a same-sex or common law marriage that meets the requirements of subparagraph (A).

(22) STATE.—The term ''State'' has the meaning given the term in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203).

(23) WORK SCHEDULE.—The term ''work schedule'' means those days and times within a work period when an employee is required by an employer to perform the duties of the employee's employment for which the employee will receive compensation.

(24) WORK SCHEDULE CHANGE.—The term ''work schedule change'' means any modification to an employee's work schedule, such as an addition or reduction of hours, cancellation of a shift, or a change in the date or time of a work shift, by an employer.

(25) WORK SHIFT.—The term ''work shift'' means the specific hours of the workday during which an employee works.

(26) VARIOUS ADDITIONAL TERMS.—

(A) COMMERCE TERMS.—The terms ''commerce'' and ''industry or activity affecting commerce'' have the meanings given the terms in section 101 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611).

(B) EMPLOY.—The term ''employ'' has the meaning given the term in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203).

SEC. 3. RIGHT TO REQUEST AND RECEIVE A FLEXIBLE, PREDICTABLE OR STABLE WORK SCHEDULE.

(a) RIGHT TO REQUEST.—An employee may apply to the employee's employer to request a change in the terms and conditions of employment as they relate to—

(1) the number of hours the employee is required to work or be on call for work;

(2) the times when the employee is required to work or be on call for work;

(3) the location where the employee is required to work;

(4) the amount of notification the employee receives of work schedule assignments; and

(5) minimizing fluctuations in the number of hours the employee is scheduled to work on a daily, weekly, or monthly basis.

(b) EMPLOYER OBLIGATION TO ENGAGE IN AN INTERACTIVE PROCESS.—

(1) IN GENERAL.—If an employee applies to the employee's employer to request a change in the terms and conditions of employment as set forth in subsection (a), the employer shall engage in a timely, good faith interactive process with the employee that includes a discussion of potential schedule changes that would meet the employee's needs.

(2) RESULT.—Such process shall result in—

(A) either granting or denying the request;

(B) in the event of a denial, considering alternatives to the proposed change that might meet the employee's needs and granting or denying a request for an alternative change in the terms and conditions of employment as set forth in subsection (a); and

(C) in the event of a denial, stating the reason for denial.

(3) INFORMATION.—If information provided by the employee making a request under this section requires clarification, the employer shall explain what further information is needed and give the employee reasonable time to produce the information.

(c) REQUESTS RELATED TO CAREGIVING, ENROLLMENT IN EDUCATION OR TRAINING, OR A SECOND JOB.—If an employee makes a request for a change in the terms and conditions of employment as set forth in subsection (a) because of a serious health condition of the employee, due to the employee's responsibilities as a caregiver, or due to the employee's enrollment in a career-related educational or training program, or if a part-time employee makes a request for such a change for a reason related to a second job, the employer shall grant the request, unless the employer has a bona fide business reason for denying the request.

(d) OTHER REQUESTS.—If an employee makes a request for a change in the terms and conditions of employment as set forth in subsection (a), for a reason other than those reasons set forth in subsection (c), the employer may deny the request for any reason that is not unlawful. If the employer denies such a request, the employer shall provide the employee with the reason for the denial, including whether any such reason was a bona fide business reason.

SEC. 4. REQUIREMENTS FOR REPORTING TIME PAY, SPLIT SHIFT PAY, AND ADVANCE NOTICE OF WORK SCHEDULES.

(a) REPORTING TIME PAY REQUIREMENT.—An employer shall pay a retail, food service, or cleaning employee—

(1) for at least 4 hours at the employee's regular rate of pay for each day on which the retail, food service, or cleaning employee reports for work, as required by the employer, but is given less than four hours of work, except that if the retail, food service, or cleaning employee's scheduled hours for a day are less than 4 hours, such retail, food service, or cleaning employee shall be paid for the employee's scheduled hours for that day if given less than the scheduled hours of work; and

(2) for at least 1 hour at the employee's regular rate of pay for each day the retail, food service, or cleaning employee is given specific instructions to contact the employee's employer, or wait to be contacted by the employer, less than 24 hours in advance of the start of a potential work shift to determine whether the employee must report to work for such shift.

(b) SPLIT SHIFT PAY REQUIREMENT.—An employer shall pay a retail, food service, or cleaning employee for one additional hour at the retail, food service, or cleaning employee's regular rate of pay for each day during which the retail, food service, or cleaning employee works a split shift.

(c) ADVANCE NOTICE REQUIREMENT.—

(1) INITIAL SCHEDULE.—On or before a new retail, food service, or cleaning employee's first day of work, the employer shall inform the retail, food service, or cleaning employee in writing of the employee's work schedule and the minimum number of expected work hours the retail, food service, or cleaning employee will be assigned to work per month.

(2) PROVIDING NOTICE OF NEW SCHEDULES.—Except as provided in paragraph (3), if a retail, food service, or cleaning employee's work schedule changes from the work schedule of which the retail, food service, or cleaning employee was informed pursuant to paragraph (1), the employer shall provide the retail, food service, or cleaning employee with the employee's new work schedule not less than 14 days before the first day of the new work schedule. If the expected minimum number of work hours that a retail, food service, or cleaning employee will be assigned changes from the number of which the employee was informed pursuant to paragraph (1), the employer shall also provide notification of that change, not less than 14 days in advance of the first day this change will go into effect. Nothing in this subsection shall be construed to prohibit an employer from providing greater advance notice of a retail, food service, or cleaning employee's work schedule than is required under this section.

(3) WORK SCHEDULE CHANGES MADE WITH LESS THAN 24 HOURS' NOTICE.—An employer may make work schedule changes as needed, including by offering additional hours of work to retail, food service, or cleaning employees beyond those previously scheduled, but an employer shall be required to provide one extra hour of pay at the retail, food service, or cleaning employee's regular rate for each shift that is changed with less than 24 hours' notice, except in the case of the need to schedule the retail, food service, or cleaning employee due to the unforeseen unavailability of a retail, food service, or cleaning employee previously scheduled to work that shift.

(4) NOTIFICATIONS IN WRITING.—The notifications required under paragraphs (1) and (2) shall be made to the employee in writing. Nothing in this subsection shall be construed as prohibiting an employer from using any additional means of notifying a retail, food service, or cleaning employee of the employee's work schedule.

(5) SCHEDULE POSTING REQUIREMENT.—Every employer employing any retail, food service, or cleaning employee subject to this Act shall post the schedule and keep it posted in a conspicuous place in every establishment where such retail, food service, or cleaning employee is employed so as to permit the employee to observe readily a copy. Availability of that schedule by electronic means accessible by all retail, food service, or cleaning employees of that employer shall be considered compliance with this subsection.

(6) EMPLOYEE SHIFT TRADING.—Nothing in this subsection shall be construed to prevent an employer from allowing a retail, food service, or cleaning employee to work in place of another employee who has been scheduled to work a particular shift as long as the change in schedule is mutually agreed upon by the employees. An employer shall not be subject to the requirements of paragraph (2) or (3) for such voluntary shift trades.

(d) EXCEPTION.—The requirements in subsections (a), (b), and (c) shall not apply during periods when regular operations of the employer are suspended due to events beyond the employer's control.

SEC. 5. PROHIBITED ACTS.

(a) INTERFERENCE WITH RIGHTS.—It shall be unlawful for any employer to interfere with, restrain, or deny the exercise or the attempt to exercise, any right of an employee as set forth in section 3 or of a retail, food service, or cleaning employee as set forth in section 4.

(b) RETALIATION PROHIBITED.—It shall be unlawful for any employer to discharge, threaten to discharge, demote, suspend, reduce work hours of, or take any other adverse employment action against any employee in retaliation for exercising the rights of an employee under this Act or opposing any practice made unlawful by this Act. For purposes of section 3, such retaliation shall include taking an adverse employment action against any employee on the basis of that employee's eligibility or perceived eligibility to request or receive a

change in the terms and conditions of employment, as described in such section, on the basis of a reason set forth in section 3(c).

(c) INTERFERENCE WITH PROCEEDINGS OR INQUIRIES.—It shall be unlawful for any person to discharge or in any other manner discriminate against any individual because such individual—

(1) has filed any charge, or has instituted or caused to be instituted any proceeding, under or related to this Act;

(2) has given or is about to give, any information in connection with any inquiry or proceeding relating to any right provided under this Act; or

(3) has testified, or is about to testify, in any inquiry or proceeding relating to any right provided under this Act.

SEC. 6. REMEDIES AND ENFORCEMENT.

(a) INVESTIGATIVE AUTHORITY.—

(1) IN GENERAL.—To ensure compliance with this Act, or any regulation or order issued under this Act, the Secretary shall have, subject to paragraph (3), the investigative authority provided under section 11(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 211(a)).

(2) OBLIGATION TO KEEP AND PRESERVE RECORDS.—Each employer shall make, keep, and preserve records pertaining to compliance with this Act in accordance with regulations issued by the Secretary under section 8.

(3) REQUIRED SUBMISSIONS GENERALLY LIMITED TO AN ANNUAL BASIS.—The Secretary shall not under the authority of this subsection require any employer to submit to the Secretary any books or records more than once during any 12-month period, unless the Secretary has reasonable cause to believe there may exist a violation of this Act or any regulation or order issued pursuant to this Act, or is investigating a charge pursuant to subsection (c).

(4) SUBPOENA POWERS.—For the purposes of any investigation provided for in this section, the Secretary shall have the subpoena authority provided for under section 9 of the Fair Labor Standards Act of 1938 (29 U.S.C. 209).

(b) CIVIL ACTION BY EMPLOYEES.—

(1) LIABILITY.—Any employer who violates section 5(a) (with respect to a right set forth in section 4) or subsection (b) or (c) of section 5 (referred to in this section as a ''covered provision'') shall be liable to any employee affected for—

(A) damages equal to the amount of—

(i) any wages, salary, employment benefits (as defined in section 101 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611)), or other compensation denied, lost, or owed to such employee by reason of the violation; or

(ii) in a case in which wages, salary, employment benefits (as so defined), or other compensation have not been denied, lost, or owed to the employee, any actual monetary losses sustained by the employee as a direct result of the violation;

(B) interest on the amount described in subparagraph (A) calculated at the prevailing rate;

(C) an additional amount as liquidated damages equal to the sum of the amount described in subparagraph (A) and the interest described in subparagraph (B), except that if an employer who has violated a covered provision proves to the satisfaction of the court that the act or omission which violated the covered provision was in good faith and that the employer had reasonable grounds for believing that the act or omission was not a violation of a covered provision, such court may, in the discretion of the court, reduce the amount of liability to the amount and interest determined under subparagraphs (A) and (B), respectively; and

(D) such equitable relief as may be appropriate, including employment, reinstatement, and promotion.

(2) RIGHT OF ACTION.—An action to recover the damages or equitable relief set forth in paragraph (1) may be maintained against any employer (including a public agency) in any Federal or State court of competent jurisdiction by any one or more employees for and on behalf of—

(A) the employees; or

(B) the employees and other employees similarly situated.

(3) FEES AND COSTS.—The court in such an action shall, in addition to any judgment awarded to the plaintiff, allow a reasonable attorney's fee, reasonable expert witness fees, and other costs of the action to be paid by the defendant.

(4) LIMITATIONS.—The right provided by paragraph (2) to bring an action by or on behalf of any employee shall terminate on the filing of a complaint by the Secretary in an action under subsection (c)(3) in which a recovery is sought of the damages described in paragraph (1)(A) owing to an employee by an employer liable under paragraph (1) unless the action described is dismissed without prejudice on motion of the Secretary.

(c) ACTIONS BY THE SECRETARY.—

(1) ADMINISTRATIVE ACTION.—The Secretary shall receive, investigate, and attempt to resolve complaints of violations of this Act in the same manner that the Secretary receives, investigates, and attempts to resolve complaints of violations of section 6 and 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206 and 207), and may issue an order making determinations, and assessing a civil penalty described in paragraph (3) (in accordance with paragraph (3)), with respect to such an alleged violation.

(2) ADMINISTRATIVE REVIEW.—An affected person who takes exception to an order issued under paragraph (1) may request review of and a decision regarding such an order by an administrative law judge. In reviewing the order, the administrative law judge may hold an administrative hearing concerning the order, in accordance with the requirements of sections 554, 556, and 557 of title 5, United States Code. Such hearing shall be conducted expeditiously. If no affected person requests such review within 60 days after the order is issued under paragraph (1), the order shall be considered to be a final order that is not subject to judicial review.

(3) CIVIL PENALTY.—An employer who willfully and repeatedly violates—

(A) paragraph (1), (4), or (5) of section 4(c) shall be subject to a civil penalty in an amount to be determined by the Secretary, but not to exceed $100 per violation; and

(B) subsection (b) or (c) of section 5 shall be subject to a civil penalty in an amount to be determined by the Secretary, but not to exceed $1,100 per violation.

(4) CIVIL ACTION.—The Secretary may bring an action in any court of competent jurisdiction on behalf of aggrieved employees to—

(A) restrain violations of this Act;

(B) award such equitable relief as may be appropriate, including employment, reinstatement, and promotion; and

(C) in the case of a violation of a covered provision, recover the damages and interest described in subparagraphs (A) through (C) of subsection (b)(1).

(d) LIMITATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), an action may be brought under this section not later than 2 years after the date of the last event constituting the alleged violation for which the action is brought.

(2) WILLFUL VIOLATION.—In the case of such action brought for a willful violation of section 5, such action may be brought within 3 years of the date of the last event constituting the alleged violation for which such action is brought.

(3) COMMENCEMENT.—In determining when an action is commenced by the Secretary under this section for the purposes of this subsection, it shall be considered to be commenced on the date when the complaint is filed.

(e) OTHER ADMINISTRATIVE OFFICERS.—

(1) BOARD.—In the case of employees described in section 2(7)(C), the authority of the Secretary under this Act shall be exercised by the Board of Directors of the Office of Compliance.

(2) PRESIDENT; MERIT SYSTEMS PROTECTION BOARD.—In the case of employees described in section 2(7)(D), the authority of the Secretary under this Act shall be exercised by the President and the Merit Systems Protection Board.

(3) OFFICE OF PERSONNEL MANAGEMENT.—In the case of employees described in section 2(7)(E), the authority of the Secretary under this Act shall be exercised by the Office of Personnel Management.

(4) LIBRARIAN OF CONGRESS.—In the case of employees of the Library of Congress, the authority of the Secretary under this Act shall be exercised by the Librarian of Congress.

(5) COMPTROLLER GENERAL.—In the case of employees of the Government Accountability Office, the authority of the Secretary under this Act shall be exercised by the Comptroller General of the United States.

SEC. 7. NOTICE AND POSTING.

(a) IN GENERAL.—Each employer shall post and keep posted, in conspicuous places on the premises of the employer where notices to employees and applicants for employment are customarily posted, a notice, to be prepared or approved by the Secretary (or the corresponding administrative officer specified in section 8) setting forth excerpts from, or summaries of, the pertinent provisions of this Act and information pertaining to the filing of a complaint under this Act.

(b) PENALTY.—Any employer that willfully violates this section may be assessed a civil money penalty not to exceed $100 for each separate offense.

SEC. 8. REGULATIONS.

(a) IN GENERAL.—Except as provided in subsections (b) through (f), not later than 180 days after the date of enactment of this Act, the Secretary shall issue such regulations as may be necessary to implement this Act.

(b) BOARD.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Board of Directors of the Office of Compliance shall issue such regulations as may be necessary to implement this Act with respect to employees described in section 2(7)(C).

(2) CONSIDERATION.—In prescribing the regulations, the Board shall take into consideration the enforcement and remedies provisions concerning the Board, and applicable to rights and protections under the Family and Medical Leave Act of 1993 (29 U.S.C. 2611 et seq.), under the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.).

(3) MODIFICATIONS.—The regulations issued under paragraph (1) to implement this Act shall be the same as substantive regulations issued by the Secretary to implement this Act, except to the extent that the Board may determine, for good cause shown and stated together with the regulations issued by the Board, that a modification of such substantive regulations would be more effective for the implementation of the rights and protections under this Act.

(c) PRESIDENT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the President shall issue such regulations as may be necessary to implement this Act with respect to employees described in section 2(7)(D).

(2) CONSIDERATION.—In prescribing the regulations, the President shall take into consideration the enforcement and remedies provisions concerning the President and the Merit Systems Protection Board, and applicable to rights and protections under the Family and Medical Leave Act of 1993, under chapter 5 of title 3, United States Code.

(3) MODIFICATIONS.—The regulations issued under paragraph (1) to implement this Act shall be the same as substantive regulations issued by the Secretary to implement this Act, except to the extent that the President may determine, for good cause shown and stated together with the regulations issued by the President, that a modification of such substantive regulations would be more effective for the implementation of the rights and protections under this Act.

(d) OFFICE OF PERSONNEL MANAGEMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Office of Personnel Management shall issue such regulations as may be necessary to implement this Act with respect to employees described in section 2(7)(E).

(2) CONSIDERATION.—In prescribing the regulations, the Office shall take into consideration the enforcement and remedies provisions concerning the Office under subchapter V of chapter 63 of title 5, United States Code.

(3) MODIFICATIONS.—The regulations issued under paragraph (1) to implement this Act shall be the same as substantive regulations issued by the Secretary to implement this Act, except to the extent that the Office may determine, for good cause shown and stated together with the regulations issued by the Office, that a modification of such substantive regulations would be more effective for the implementation of the rights and protections under this Act.

(e) LIBRARIAN OF CONGRESS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Librarian of Congress shall issue such regulations as may be necessary to implement this Act with respect to employees of the Library of Congress.

(2) CONSIDERATION.—In prescribing the regulations, the Librarian shall take into consideration the enforcement and remedies provisions concerning the Librarian of Congress under title I of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611 et seq.).

(3) MODIFICATIONS.—The regulations issued under paragraph (1) to implement this Act shall be the same as substantive regulations issued by the Secretary to implement this Act, except to the extent that the Librarian may determine, for good cause shown and stated together with the regulations issued by the Librarian, that a modification of such substantive regulations would be more effective for the implementation of the rights and protections under this Act.

(f) COMPTROLLER GENERAL.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall issue such regulations as may be necessary to implement this Act with respect to employees of the Government Accountability Office.

(2) CONSIDERATION.—In prescribing the regulations, the Comptroller General shall take into consideration the enforcement and remedies provisions concerning the Comptroller General under title I of the Family and Medical Leave Act of 1993.

(3) MODIFICATIONS.—The regulations issued under paragraph (1) to implement this Act shall be the same as substantive regulations issued by the Secretary to implement this Act, except to the extent that the Comptroller General may determine, for good cause shown and stated together with the regulations issued by the Comptroller General, that a modification of such substantive regulations would be more effective for the implementation of the rights and protections under this Act.

SEC. 9. RESEARCH, EDUCATION, AND TECHNICAL ASSISTANCE PROGRAM.

(a) IN GENERAL.—The Secretary shall provide information and technical assistance to employers, labor organizations, and the general public concerning compliance with this Act.

(b) PROGRAM.—In order to achieve the objectives of this Act—

(1) the Secretary, acting through the Administrator of the Wage and Hour Division of the Department of Labor, shall issue guidance on compliance with this Act regarding providing a flexible, predictable, or stable work environment through changes in the terms and conditions of employment as provided in section 3(a); and

(2) the Secretary shall carry on a continuing program of research, education, and technical assistance, including—

(A)(i) conducting pilot programs that implement fairer work schedules, including by promoting cross training, providing three weeks or more advance notice of schedules, providing employees with a minimum number of hours of work, and using computerized scheduling software to provide more flexible, predictable, and stable schedules for employees; and

(ii) evaluating the results of such pilot programs for employees, employee's families, and employers;

(B) publishing and otherwise making available to employers, labor organizations, professional associations, educational institutions, the various communication media, and the general public the findings of studies regarding fair work scheduling policies and other materials for promoting compliance with this Act;

(C) sponsoring and assisting State and community informational and educational programs; and

(D) providing technical assistance to employers, labor organizations, professional associations, and other interested persons on means of achieving and maintaining compliance with the provisions of this Act.

(c) GAO STUDY.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study on—

(A) the impact of difficult scheduling practices on employees and employers, including unpredictable and unstable schedules and schedules over which employees have little control, and particularly how these scheduling practices impact absenteeism, workforce turnover, and employees' ability to meet their caregiving responsibilities;

(B) the prevalence in occupations not described in section 2(16)(A) of employees routinely receiving inadequate advance notice of the shifts or hours of the employees, being assigned split shifts, being sent home from work prior to the completion of their scheduled shift without being paid for the hours in their scheduled shift, being assigned call-in shifts (where the employee is required to contact the employer, or wait to be contacted by the employer, less than 24 hours in advance of the potential work shift to determine whether the employee must report to work), or being called into work outside of scheduled hours;

(C) the effects on employees in occupations not described in section 2(16)(A) of providing advance notice of work schedules, reporting time pay when employees are sent home without working their full scheduled shift or are assigned to call-in shifts but given no work for those shifts, and split shift pay when employees are assigned split shifts; and

(D) the effects on employers in occupations not described in section 2(16)(A) of providing advance notice of work schedules, reporting time pay when employees are sent home without working their full scheduled shift or assigned to call-in shifts but given no work for those shifts, and split shift pay when employees are assigned split shifts.

(2) REPORTS.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall prepare and submit a report to the appropriate committees of Congress concerning the initial results of the study conducted pursuant to paragraph (1). Not later than 5 years after the date of enactment of this Act, the Comptroller General shall prepare and submit a follow-up report to such committees concerning the results of such study.

SEC. 10. RIGHTS RETAINED BY EMPLOYEES.

This Act provides minimum requirements and shall not be construed to preempt, limit, or otherwise affect the applicability of any other law, regulation, requirement, policy, or standard that provides for greater rights for employees than are required in this Act.

SEC. 11. EXEMPTION.

This Act shall not apply to any employee covered by a bona fide collective bargaining agreement if the terms of the collective bargaining agreement include terms that govern work scheduling practices.

SEC. 12. EFFECT ON OTHER LAW.

Nothing in this Act shall be construed as creating or imposing any requirement in conflict with any Federal or State law or regulation (including the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), the Family and Medical Leave Act of 1993 (29 U.S.C. 2611 et seq.), the National Labor Relations Act (29 U.S.C. 151 et seq.), and title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.)), nor shall anything in this Act be construed to diminish or impair the rights of an employee under any valid collective bargaining agreement.

By Mr. BOOKER (for himself and Mrs. FISCHER):

S. 2643. A bill to require a report by the Federal Communications Commission on designated market areas; to the Committee on Commerce, Science, and Transportation.

Mr. BOOKER. Mr. President, I rise today to introduce the Let Our Communities Access Local TV Act, or the LOCAL TV Act.

I am pleased that I've had the opportunity to collaborate with my friend and colleague, Senator FISCHER, and I know we both look forward to working with our fellow colleagues on the Commerce, Science and Transportation Committee to see that this legislation is enacted.

The LOCAL TV Act directs the Federal Communications Commission to study the impact of media market areas and to assess their impact on the ability of individuals to receive relevant, local news and information.

The current structure of media markets is one in which market areas can sprawl across State lines, creating situations in which you can live in one State, but be exclusively saddled in the media market of another.

My state of New Jersey is particularly affected by this situation because

it is one of only two States in the entire Nation that is served exclusively by out-of-state media markets. We are served by New York and Pennsylvania—both great places but not New Jersey.

Why does this matter? When someone in Patterson, Freehold, or Cape May, New Jersey turns on their local broadcast station—they are lucky when they find stories about their community's latest news, schools, and our local governments. This kind of New Jersey news, unfortunately, takes a back seat to that of neighboring Philadelphia and New York.

These pre-determined media markets often stifle our ability to hear about what's happening back home. We hear more about Philadelphia and New York City than we do about Morristown, Montclair, Camden and Jersey City.

To be sure, broadcast TV plays an important role in communities. It is particularly essential during emergencies and extreme weather events—for instance during Hurricane Sandy in 2012. Even while technology continues to grow and change the way we receive information, still 74 percent of adults get their news from their local broadcast stations, or from their broadcasters' websites.

Because of the existing digital divide, the number of people who rely on broadcast television is even higher when we look at low income communities. We owe them quality coverage of the local news and information they care about.

It is my hope that with further study and recommendations from the Federal Communications Commission we can continue the dialogue on how stations can best serve local communities, especially those who find themselves in media markets that cross state lines. I urge my colleagues to support the LOCAL TV ACT so that we can obtain more data and information on these markets.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 510—CONGRATULATING THE NEWPORT JAZZ FESTIVAL ON ITS 60TH ANNIVERSARY

Mr. REED (for himself and Mr. WHITEHOUSE) submitted the following resolution; which was considered and agreed to:

S. RES. 510

Whereas, in 1954, the first Newport Jazz Festival featured icons of American jazz such as Ella Fitzgerald, Billie Holiday, and Dizzie Gillespie;

Whereas the Newport Jazz Festival has provided some of the most memorable moments in jazz history, including the Duke Ellington Orchestra's 1956 performance of ''Diminuendo and Crescendo in Blue'', featuring a 27-chorus saxophone solo by Paul Gonsalves;

Whereas the ongoing mission of the Newport Jazz Festival is to celebrate jazz music and to make the case for its relevance;

Whereas the Newport Jazz Festival has become a world-renowned event featuring established and emerging artists and bringing together music lovers, musicians, academics, and critics;

Whereas for the past 60 years, the Newport Jazz Festival and the Newport Folk Festival have made a difference in the cultural life of the people of the United States and have provided a soundtrack of freedom for generations; and

Whereas, from August 1, 2014, through August 3, 2014, thousands of people will come together in Newport, Rhode Island, to celebrate the 60th Newport Jazz Festival: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the 60th Newport Jazz Festival taking place from August 1, 2014, through August 3, 2014, in Newport, Rhode Island;

(2) recognizes the historical significance of the Newport Jazz Festival and the role the festival has played in celebrating jazz music and making it relevant to generations of people in the United States; and

(3) recognizes the musicians, sponsors, volunteers, and the community of Newport, Rhode Island for continuing the tradition of the Newport Jazz Festival.

SENATE RESOLUTION 511—ESTABLISHING BEST BUSINESS PRACTICES TO FULLY UTILIZE THE POTENTIAL OF THE UNITED STATES

Mr. SCOTT (for himself, Mr. PAUL, Mrs. FISCHER, Mr. PORTMAN, Mr. PRYOR, and Mr. RUBIO) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 511

Whereas the Rooney Rule, formulated by Daniel Rooney, chairman of the Pittsburgh Steelers football team in the National Football League (referred to in this preamble as ''NFL''), requires every NFL team with a coach or general manager opening to interview at least 1 minority candidate;

Whereas the Rooney Rule has been successful in increasing minority representation among the higher leadership positions in professional football, as shown by the fact that in the 80 years between the hiring of Fritz Pollard as coach by the Akron Pros and the implementation of the Rooney Rule in 2003 there were only 7 minority head coaches but since 2003 there have been 13 minority head coaches;

Whereas the Rooney Rule has shown that once highly qualified and highly skilled diversity candidates are given exposure during the hiring process their abilities can be better utilized;

Whereas the RLJ Rule, formulated by Robert L. Johnson, founder of Black Entertainment Television (commonly known as ''BET'') and of The RLJ Companies, and based on the Rooney Rule from the NFL, similarly encourages companies to voluntarily establish a best practices policy to identify minority candidates and minority vendors by implementing a plan to interview a minimum of 2 qualified minority candidates for managerial openings at the director level and above and to interview at least 2 qualified minority businesses before approving a vendor contract;

Whereas, according to Crist-Kolder Associates as cited in the Wall Street Journal, at the top 668 companies in the United States, only 27 Chief Financial Officers are African-American, Hispanic, or of Asian descent;

Whereas underrepresented groups contain members with the necessary abilities, experience, and qualifications for any position available;

Whereas business practices such as the Rooney Rule or the RLJ Rule are neither an employment quota nor Federal law but rather a voluntary initiative instituted by willing entities to provide the human resources necessary to ensure success;

Whereas experience has shown that people of all genders, colors, and physical abilities can achieve excellence;

Whereas increased involvement of underrepresented workers would improve the economy of the United States and the experience of the people of the United States; and

Whereas ensuring the increased exposure and resulting increased advancement of diverse qualified candidates would result in gains by all people of the United States through stronger economic opportunities: Now, therefore, be it

Resolved, That the Senate encourages corporate, academic, and social entities, regardless of size or field of operation, to—

(1) develop an internal rule modeled after a successful business practice such as the Rooney Rule or RLJ Rule and, in accordance with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), adapt that rule to specifications that will best fit the procedures of the individual entity; and

(2) institute the individualized Rooney Rule or RLJ Rule to ensure that the entity will always consider candidates from underrepresented populations before making a final decision when searching for a business vendor or filling leadership position.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3575. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 3576. Mr. KAINE (for himself and Mr. KING) submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3577. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3578. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3579. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3580. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

SA 3581. Mr. KAINE (for himself and Mr. KING) submitted an amendment intended to be proposed by him to the bill S. 2410, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3575. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

SEC. 141. SENSE OF CONGRESS ON PROCUREMENT OF ADVANCED THREAT EMITTERS.

It is the sense of Congress that—

(1) the Joint Threat Emitter system provides vital electronic warfare training for combat aircrews by simulating the multiple threat scenarios of a hostile integrated air defense system; and

(2) the Department of the Air Force should prioritize the acquisition of the Joint Threat Emitter system beyond the one unit requested in the President's fiscal year 2015 budget and evaluate ways to accelerate the fielding of these systems.

SA 3576. Mr. KAINE (for himself and Mr. KING) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 531 and insert the following:

SEC. 531. ENHANCEMENT OF AUTHORITY FOR MEMBERS OF THE ARMED FORCES TO OBTAIN PROFESSIONAL CREDENTIALS.

(a) IN GENERAL.—Paragraph (1) of subsection (a) of section 2015 of title 10, United States Code, is amended by striking ''professional accreditation'' and all that follows through ''certification'' and inserting ''State-imposed licenses, Federal occupational licenses, and professional certification''.

(b) LIMITATIONS.—Subsection (b) of such section is amended—

(1) by inserting ''(1)'' before ''The authority'';

(2) by adding at the end the following new paragraphs:

''(2) The authority under subsection (a) may not be used to pay the expenses of a member to obtain professional credentials unless such credentials are recognized and approved by the armed force concerned as necessary to meet—

''(A) readiness requirements or professional occupational development goals of such armed force; or

''(B) the self-development requirements of the member.

''(3) Except as provided in paragraph (4), the authority under subsection (a) may not be used to pay the expenses of obtaining professional credentials unless—

''(A) such credentials are accredited under International Organization for Standardization/International Commission (ISO/IEC) Standard 17024-2012, entitled 'General Requirements for Bodies Operating Certification of Persons'; and

''(B) the entity accrediting such credentials provides documentary evidence to the Secretary of Defense that it complies International Organization for Standardization/International Commission Standard 17011, entitled 'Conformity assessment–General requirements for accreditation bodies accrediting conformity assessment bodies'.

''(4) During the three-year period beginning on the date of the authorization of the Credentialing agency by the Department of Defense, the authority under subsection (a) may be used to pay the expenses of obtaining professional credentials from an entity not complying with the Standards referred to in paragraph (3) if the entity certifies in writing to the Secretary of Defense that the entity agrees to seek to obtain certification of compliance with the Standards before the end of such period.'.

(c) FUNDS AVAILABLE.—Such section is further amended—

(1) in subsection (a), by striking ''may pay'' in the matter preceding paragraph (1) and inserting ''may, using funds described in subsection (c), pay''; and

(2) by adding at the end the following new subsection:

SA 3577. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1268. SENSE OF CONGRESS ON EFFORTS TO REMOVE JOSEPH KONY FROM THE BATTLEFIELD AND END THE ATROCITIES OF THE LORD'S RESISTANCE ARMY.

Consistent with the provisions of the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009 (Public Law 111–172), it is the sense of Congress that—

(1) the ongoing United States advise and assist operation in support of regional governments in Central Africa and the African Union to remove Joseph Kony and his top commanders from the battlefield and end atrocities perpetuated by the Lord's Resistance Army, also known as Operation Observant Compass, has made significant progress in achieving its objectives;

(2) the Department of Defense should continue its support of Operation Observant Compass, particularly through the provision of key enablers, such as mobility assets and targeted intelligence collection and analytical support, to enable regional partners to effectively conduct operations against Joseph Kony and the Lord's Resistance Army;

(3) Operation Observant Compass must be integrated into a comprehensive strategy to support security and stability in the region; and

(4) the regional governments should recommit themselves to the Regional Cooperation Initiative for the Elimination of the Lord's Resistance Army authorized by the African Union.

SA 3578. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. 1047. USE OF SPECIAL USE AIRSPACE BY NON-DEPARTMENT OF DEFENSE DEPARTMENTS AND AGENCIES OF THE FEDERAL GOVERNMENT.

The Secretary of Defense, or the designee of the Secretary, may authorize use of Special Use Airspace by any department or agency of the Federal Government if the use of such Airspace by such department or agency—

(1) either—

(A) directly supports the Department of Defense;

(B) provides a direct or indirect benefit to the Department; or

(C) directly supports a specific national security interest; and

(2) does not interfere with the assigned mission of the commander of the installation, or the use, for which such Special Use Airspace was established.

SA 3579. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VIII, add the following:

SEC. 830. PROHIBITION ON CONTRACTS WITH INVERTED DOMESTIC CORPORATIONS.

(a) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2338. Prohibition on contracts with inverted domestic corporations

''(a) IN GENERAL.—The head of an agency may not enter into any contract with any foreign incorporated entity which is treated as an inverted domestic corporation or any subsidiary of such entity.

''(b) DEFINITION OF INVERTED DOMESTIC CORPORATION.—

''(1) IN GENERAL.—For purposes of this section, a foreign incorporated entity shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

''(A) the entity has, directly or indirectly, acquired—

''(i) most of the properties held directly or indirectly by a domestic corporation; or

''(ii) most of the assets of, or most of the properties constituting a trade or business of, a domestic partnership; and

''(B) either—

''(i) after the acquisition at least 50 percent of the stock (by vote or value) of the entity is held—

''(I) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation; or

''(II) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership; or

''(ii)(I) the expanded affiliated group which after the acquisition conducts most of its business activities in the United States; and

''(II) the management and control of the entity (or of any other member of the expanded affiliated group which after the acquisition includes the entity and to which this subclause applies under regulations prescribed by the Secretary of the Treasury or the Secretary's delegate) occurs, directly or indirectly, mostly within the United States.

''(2) MANAGEMENT AND CONTROL.—

''(A) IN GENERAL.—For purposes of subclause (II) of paragraph (1)(B)(ii), the Secretary of the Treasury (or the Secretary's delegate) shall prescribe regulations for purposes of determining cases in which the management and control of an entity is to be

treated as occurring mostly within the United States.

''(B) EXECUTIVE OFFICERS AND SENIOR MANAGEMENT.—The regulations prescribed under subparagraph (A) shall provide that—

''(i) the management and control of an entity shall be treated as occurring mostly within the United States if most of the executive officers and senior management of the entity who exercise day-to-day responsibility for making decisions involving strategic, financial, and operational policies of the entity are located mostly within the United States; and

''(ii) individuals who are not executive officers and senior management of the entity (including individuals who are officers or employees of other members of the expanded affiliated group which includes the entity) shall be treated as executive officers and senior management if such individuals exercise the day-to-day responsibilities of the entity described in clause (i).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item related to section 2337 the following new item:

''2338. Prohibition on contracts with inverted domestic corporations.''.

SA 3580. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VIII, add the following:

SEC. 830. PROHIBITION ON CONTRACTS WITH INVERTED DOMESTIC CORPORATIONS.

(a) CIVILIAN CONTRACTS.—

(1) IN GENERAL.—Chapter 47 of title 41, United States Code, is amended by adding at the end the following new section:

''§ 4713. Prohibition on contracts with inverted domestic corporations

''(a) IN GENERAL.—The head of an executive agency may not enter into any contract with any foreign incorporated entity which is treated as an inverted domestic corporation or any subsidiary of such entity.

''(b) DEFINITION OF INVERTED DOMESTIC CORPORATION.—

''(1) IN GENERAL.—For purposes of this section, a foreign incorporated entity shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

''(A) the entity has, directly or indirectly, acquired—

''(i) most of the properties held directly or indirectly by a domestic corporation; or

''(ii) most of the assets of, or most of the properties constituting a trade or business of, a domestic partnership; and

''(B) either—

''(i) after the acquisition at least 50 percent of the stock (by vote or value) of the entity is held—

''(I) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation; or

''(II) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership; or

''(ii)(I) the expanded affiliated group which after the acquisition conducts most of its business activities in the United States; and

''(II) the management and control of the entity (or of any other member of the expanded affiliated group which after the acquisition includes the entity and to which this subclause applies under regulations prescribed by the Secretary of the Treasury or the Secretary's delegate) occurs, directly or indirectly, mostly within the United States.

''(2) MANAGEMENT AND CONTROL.—

''(A) IN GENERAL.—For purposes of subclause (II) of paragraph (1)(B)(ii), the Secretary of the Treasury (or the Secretary's delegate) shall prescribe regulations for purposes of determining cases in which the management and control of an entity is to be treated as occurring mostly within the United States.

''(B) EXECUTIVE OFFICERS AND SENIOR MANAGEMENT.—The regulations required under subparagraph (A) shall provide that—

''(i) the management and control of an entity shall be treated as occurring mostly within the United States if most of the executive officers and senior management of the entity who exercise day-to-day responsibility for making decisions involving strategic, financial, and operational policies of the entity are located mostly within the United States; and

''(ii) individuals who are not executive officers and senior management of the entity (including individuals who are officers or employees of other members of the expanded affiliated group which includes the entity) shall be treated as executive officers and senior management if such individuals exercise the day-to-day responsibilities of the entity described in clause (i).''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item related to section 4712 the following new item:

''4713. Prohibition on contracts with inverted domestic corporations.''.

(b) DEFENSE CONTRACTS.—

(1) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2338. Prohibition on contracts with inverted domestic corporations

''(a) IN GENERAL.—The head of an agency may not enter into any contract with any foreign incorporated entity which is treated as an inverted domestic corporation or any subsidiary of such entity.

''(b) DEFINITION OF INVERTED DOMESTIC CORPORATION.—

''(1) IN GENERAL.—For purposes of this section, a foreign incorporated entity shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

''(A) the entity has, directly or indirectly, acquired—

''(i) most of the properties held directly or indirectly by a domestic corporation; or

''(ii) most of the assets of, or most of the properties constituting a trade or business of, a domestic partnership; and

''(B) either—

''(i) after the acquisition at least 50 percent of the stock (by vote or value) of the entity is held—

''(I) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation; or

''(II) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership; or

''(ii)(I) the expanded affiliated group which after the acquisition conducts most of its business activities in the United States; and

''(II) the management and control of the entity (or of any other member of the expanded affiliated group which after the acquisition includes the entity and to which this subclause applies under regulations prescribed by the Secretary of the Treasury or the Secretary's delegate) occurs, directly or indirectly, mostly within the United States.

''(2) MANAGEMENT AND CONTROL.—

''(A) IN GENERAL.—For purposes of subclause (II) of paragraph (1)(B)(ii), the Secretary of the Treasury (or the Secretary's delegate) shall prescribe regulations for purposes of determining cases in which the management and control of an entity is to be treated as occurring mostly within the United States.

''(B) EXECUTIVE OFFICERS AND SENIOR MANAGEMENT.—The regulations prescribed under subparagraph (A) shall provide that—

''(i) the management and control of an entity shall be treated as occurring mostly within the United States if most of the executive officers and senior management of the entity who exercise day-to-day responsibility for making decisions involving strategic, financial, and operational policies of the entity are located mostly within the United States; and

''(ii) individuals who are not executive officers and senior management of the entity (including individuals who are officers or employees of other members of the expanded affiliated group which includes the entity) shall be treated as executive officers and senior management if such individuals exercise the day-to-day responsibilities of the entity described in clause (i).''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item related to section 2337 the following new item:

''2338. Prohibition on contracts with inverted domestic corporations.''.

SA 3581. Mr. KAINE (for himself and Mr. KING) submitted an amendment intended to be proposed by him to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 531 and insert the following:

SEC. 531. ENHANCEMENT OF AUTHORITY FOR MEMBERS OF THE ARMED FORCES TO OBTAIN PROFESSIONAL CREDENTIALS.

(a) IN GENERAL.—Paragraph (1) of subsection (a) of section 2015 of title 10, United States Code, is amended by striking ''professional accreditation'' and all that follows through ''certification'' and inserting ''State-imposed licenses, Federal occupational licenses, and professional certification''.

(b) LIMITATIONS.—Subsection (b) of such section is amended—

(1) by inserting ''(1)'' before ''The authority'';

(2) by adding at the end the following new paragraphs:

''(2) The authority under subsection (a) may not be used to pay the expenses of a member to obtain professional credentials unless such credentials are recognized and approved by the armed force concerned as necessary to meet—

''(A) readiness requirements or professional occupational development goals of such armed force; or

''(B) the self-development requirements of the member.

''(3) Except as provided in paragraph (4), the authority under subsection (a) may not

be used to pay the expenses of obtaining professional credentials unless—

''(A) such credentials are accredited under International Organization for Standardization/International Commission (ISO/IEC) Standard 17024-2012, entitled 'General Requirements for Bodies Operating Certification of Persons'; and

''(B) the entity accrediting such credentials provides documentary evidence to the Secretary of Defense that it complies International Organization for Standardization/International Commission Standard 17011, entitled 'Conformity assessment–General requirements for accreditation bodies accrediting conformity assessment bodies'.

''(4) During the three-year period beginning on the date of the authorization of the Credentialing agency by the Department of Defense, the authority under subsection (a) may be used to pay the expenses of obtaining professional credentials from an entity not complying with the Standards referred to in paragraph (3) if the entity certifies in writing to the Secretary of Defense that the entity agrees to seek to obtain certification of compliance with the Standards before the end of such period.'.

(c) FUNDS AVAILABLE.—Such section is further amended—

(1) in subsection (a), by striking ''may pay'' in the matter preceding paragraph (1) and inserting ''may, using funds described in subsection (c), pay''; and

(2) by adding at the end the following new subsection:

''(c) FUNDS AVAILABLE.—Payments may be made under the authority under subsection (a) by the Secretary making such payments from amounts available to such Secretary for tuition assistance for members under the jurisdiction of such Secretary. Payments for funds are not limited to eligible programs, as that term is defined in section 481 of the Higher Education Act of 1965 (20 U.S.C. 1088).''.

(d) COVERED EXPENSES.—Such section is further amended by adding at the end the following new subsection:

''(d) EXPENSES DEFINED.—In this section, the term 'expenses' means expenses for class room instruction, hands-on training (and associated materials), manuals, study guides and materials, text books, processing fees, and test fees and related fees.''.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. LANDRIEU. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources. The hearing will be held on Thursday, July 24, 2014, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of this hearing is to consider the nomination of Elizabeth Sherwood-Randall to be Deputy Secretary of Energy.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510–6150, or by e-mail to sallie__derr@energy.senate.gov.

For further information, please contact Sam Fowler at (202) 224–7571 or Sallie Derr at (202) 224–6836.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. LANDRIEU. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before Subcommittee on National Parks. The hearing will be held on Wednesday, July 23, 2014, at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills:

H.R. 412, to amend the Wild and Scenic Rivers Act to designate segments of the mainstem of the Nashua River and its tributaries in the Commonwealth of Massachusetts for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

S.1189, to adjust the boundaries of Paterson Great Falls National Historical Park to include Hinchliffe Stadium, and for other purposes;

S. 1389 and H.R. 1501, to direct the Secretary of the Interior to study the suitability and feasibility of designating the Prison Ship Martyrs' Monument in Fort Greene Park, in the New York City borough of Brooklyn, as a unit of the National Park System;

S. 1520 and H.R. 2197, to amend the Wild and Scenic Rivers Act to designate segments of the York River and associated tributaries for study for potential inclusion in the National Wild and Scenic Rivers System;

S. 1641, to establish the Appalachian Forest National Heritage Area, and for other purposes;

S. 1718, to modify the boundary of Petersburg National Battlefield in the Commonwealth of Virginia, and for other purposes;

S. 1750, authorize the Secretary of the Interior or the Secretary of Agriculture to enter into agreements with States and political subdivisions of States providing for the continued operation, in whole or in part, of public land, units of the National Park System, units of the National Wildlife Refuge System, and units of the National Forest System in the State during any period in which the Secretary of the Interior or the Secretary of Agriculture is unable to maintain normal level of operations at the units due to a lapse in appropriations, and for other purposes;

S. 1785, to modify the boundary of the Shiloh National Military Park located in the States of Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes;

S. 1794, to designate certain Federal land in Chaffee County, Colorado, as a national monument and as wilderness.

S. 1866, a bill to provide for an extension of the legislative authority of the Adams Memorial Foundation to establish a commemorative work in honor of former President John Adams and his legacy;

S. 2031, to amend the Act to provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes, to adjust the boundary of that National Lakeshore to include the lighthouse known as Ashland Harbor Breakwater Light, and for other purposes;

S. 2104, to require the Director of the National Park Service to refund to States all State funds that were used to reopen and temporarily operate a unit of the National Park System during the October 2013 shutdown;

S. 2111, to reauthorize the Yuma Crossing National Heritage Area;

S. 2221, to extend the authorization for the Automobile National Heritage Area in Michigan;

S. 2264, A bill to designate memorials to the service of members of the United States Armed Forces in World War I, and for other purposes;

S. 2293, to clarify the status of the North Country, Ice Age, and New England National Scenic Trails as units of the National Park System, and for other purposes;

S. 2318, to reauthorize the Erie Canalway National Heritage Corridor Act.

S. 2346, to amend the National Trails System Act to include national discovery trails, and to designate the American Discovery Trail, and for other purposes;

S. 2356, to adjust the boundary of the Mojave National Preserve;

S. 2392, to amend the Wild and Scenic Rivers Act to designate certain segments of East Rosebud Creek in Carbon County, Montana, as components of the Wild and Scenic Rivers System;

S.2576, to establish the Maritime Washington National Heritage Area in the State of Washington, and for other purposes; and

S. 2602, to establish the Mountains to Sound Greenway National Heritage Area in the State of Washington.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, 304 Dirksen Senate Office Building, Washington, DC 20510–6150, or by email to John Assini@ienergy.senate.gov.

For further information, please contact David Brooks (202) 224–9863 or John Assini (202) 224–9313.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. LANDRIEU. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, July 29, 2014, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

The title of this hearing is ''Breaking the Logjam at BLM: Examining Ways to More Efficiently Process Permits for Energy Production on Federal Lands.''

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510–6150, or by e-mail to Kristen__Granier@energy.senate.gov.

For further information, please contact Jan Brunner at (202) 224–3907 or Kristen Granier at (202) 224–1219.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. HEINRICH. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during

the session of the Senate on July 22, 2014, at 10:30 a.m., in room SD–366 of the Dirksen Senate Office Building to conduct a hearing entitled ''Leveraging America's Resources as a Revenue Generator and Job Creator: A View from State and Local Partners.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. HEINRICH. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on July 22, 2014, at 9:45 a.m., in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''The U.S. Tax Code: Love It, Leave It, or Reform It!''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. HEINRICH. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 22, 2014, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HEINRICH. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate, on July 22, 2014, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building. to conduct a hearing entitled ''Coal Miners' Struggle for Justice: How Unethical Legal and Medical Practices Stack the Deck Against Black Lung Claimants.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. HEINRICH. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on July 22, 2014, at 3 p.m. in room SD–G50 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. HEINRICH. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 22, 2014, at 9:30 a.m., to conduct a hearing entitled ''Abuse of Structured Financial Products: Misusing Barrier Options to Avoid Taxes and Leverage Limits.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. HEINRICH. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 22, 2014, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON HOUSING, TRANSPORTATION, AND COMMUNITY DEVELOPMENT

Mr. HEINRICH. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Housing, Transportation, and Community Development be authorized to meet during the session of the Senate on July 22, 2014, at 3 p.m., to conduct a hearing entitled ''Building Economically Resilient Communities: Local and Regional Approaches.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON INTERNATIONAL DEVELOPMENT AND FOREIGN ASSISTANCE, ECONOMIC AFFAIRS, INTERNATIONAL ENVIRONMENTAL PROTECTION, AND PEACE CORPS

Mr. HEINRICH. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 22, 2014, at 3 p.m., to hold an International Development and Foreign Assistance, Economic Affairs, International Environmental Protection, and Peace Corps subcommittee hearing entitled, ''U.S. Security Implications of International Energy and Climate Policies Issues.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Ms. HEITKAMP. Mr. President, I ask unanimous consent that Anne Marie Lewis, a fellow in my office, be granted floor privileges for the duration of today's session in the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that Anita Grassl and Angela West, interns with the Senate Health, Education, Labor and Pensions Committee, be granted floor privileges for the remainder of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE READ THE FIRST TIME—H.R. 4719

Mr. REID. Madam President, I understand H.R. 4719 has been received from the House, is at the desk, and is due for a first reading.

The PRESIDING OFFICER. The Senator is correct.

The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (H.R. 4719) to amend the Internal Revenue Code of 1986 to permanently extend and expand charitable deduction for contributions of food inventory.

Mr. REID. I would ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR WEDNESDAY, JULY 23, 2014

Mr. REID. We have waited here now for hours trying to work out an agreement to move forward on the highway bill, but one of the Senators has not been found. So I am not going to wait any longer. I have waited quite a few hours—and all the staff—and it is not fair to anybody.

Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, July 23, 2014; that following the prayer and pledge the morning hour be deemed expired, the Journal of proceedings be approved to date, and time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of the motion to proceed to Calendar No. 453, S. 2569, until 11 a.m., with the time equally divided between the two leaders or their designees; and, finally, that at 11 a.m. the Senate proceed to a vote on the motion to invoke cloture on the motion to proceed to S. 2569.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Madam President, at 11 a.m. tomorrow there will be a roll call vote on the motion to invoke cloture on the motion to proceed to the Bring Jobs Home Act, followed by three voice votes on confirmation of the Clark, Schapiro, and Creedon nominations.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:15 p.m., adjourned until Wednesday, July 23, 2014, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

NATIONAL INDIAN GAMING COMMISSION

JONODEV OSCEOLA CHAUDHURI, OF ARIZONA, TO BE CHAIRMAN OF THE NATIONAL INDIAN GAMING COMMISSION FOR THE TERM OF THREE YEARS, VICE TRACIE STEVENS.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

ROBERT P. MCCOY

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE

UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

MICHAEL E. COGHLAN

To be major

AJAY K. OJHA

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

NEALANJON P. DAS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS A CHAPLAIN UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

BARRY C. BUSBY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

YONG K. CHO
JOSEPH W. GREEN
THOMAS A. STARKOSKI, JR.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

ADAM J. RAINS

CONFIRMATIONS

Executive nominations confirmed by the Senate July 22, 2014:

THE JUDICIARY

ANDRE BIROTTE, JR., OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA.

ROBIN L. ROSENBERG, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA.

JOHN W. DEGRAVELLES, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF LOUISIANA.